ELEVENTH AMENDED INTERIM GUIDANCE

DATE: March 15, 2022

TO: Licensees of the Oklahoma Department of Consumer Credit

FROM: Oklahoma Department of Consumer Credit

RE: Eleventh Amended Interim Guidance – Temporary Operations from Home and Alternate Locations

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Purpose

On March 6, 2020, the State of Oklahoma announced the first positive case of the COVID-19 viral disease.

On March 11, 2020, the World Health Organization officially declared COVID-19 to be a pandemic.

On March 13, 2020, President Donald Trump declared a national emergency due to the virus, which is still ongoing at the time of this Eighth Amended Interim Guidance.

Because the Oklahoma Department of Health has confirmed the localized person-to-person spread of the virus, and in an effort to help protect consumers and licensees, the Department intends for this Interim Guidance to provide certain clarifications and flexibility with respect to licensee operations at alternate locations.

Companies may wish to take precautions to attempt to avoid the risk of exposure by having employees work at home. This includes mortgage loan originators and employees of other regulated entities, who are otherwise required to only work from licensed locations. Furthermore, companies may wish to utilize an alternate site for conducting business in the event that the licensed location is compromised and/or undergoing decontamination procedures.

This Interim Guidance does not amend Oklahoma statutes, rules, or other guidance or opinions previously issued.

This Interim Guidance is amended to extend through December 31, 2022.

Interim Guidance

Temporary Operations from Home and Alternate Locations

1) Mortgage loan originators and employees of regulated entities working from home:

If the data security provisions set forth below are met, the Department will not take administrative or other punitive action against a regulated entity, licensed mortgage loan originator or the sponsoring licensed company, if the employees or mortgage loan originators conduct activities which would otherwise require licensure of the home.

Data security provisions:

A) The licensed mortgage loan originator must be able to access the company's secure origination system (including a cloud-based system) directly from any out-of-office device the mortgage loan originator uses (laptop, phone, desktop computer, tablet, etc.) using a virtual private network (VPN) or similar system that requires passwords or other forms of authentication to access. Similarly, employees of other regulated entities must be able to access the company's secure system from any out-of-office device the employee uses.

B) The licensed mortgage loan originator and/or the employees of regulated entities must not keep any physical business records at any location other than the licensed office. While it is up to the company and the mortgage loan originator to decide whether consumers go to mortgage loan originators' licensed branch homes, if mortgage loan originators work from an unlicensed branch home, they must not have consumers come to the home. Similarly, employees of other regulated entities must not have consumers come to the home.

C) All security updates, patches, or other alterations to the devices' security must be maintained.

2) Expedited Change of Address and Temporary Waiver of Fee:

A) In the event that a licensed location is compromised and/or undergoing decontamination procedures, the Department is prepared to expedite address changes of licensed locations and waive any Departmental fees associated with such change, when determined to be in the interest of public health.

B) If a licensee elects to amend the address of a licensed location temporarily, no operations shall occur at the compromised location until such time as the Department is notified of the reversion to the address of the original licensed location.

C) Similarly, the Department is also prepared to expedite requests to revert the address change to the original license location, and waive any fees associated with such request.

D) These requests for expedited address changes should be emailed to

questions@okdocc.ok.gov. Each request must include a brief explanation of the circumstances giving rise to the request. Approvals shall be granted on a case-by-case basis.

E) During the period of operation at the temporary location, the original location must have a notice posted on the door at all times with the temporary location address, contact

information for the licensee, as well as the phone number for the Oklahoma Department of Consumer Credit, (405) 521-3653, (800) 448-4904 (Toll Free).

Flexibility of Examinations

3) The Department understands that many licensees may face staffing and other challenges. In cases in which operational challenges persist, the Department will work with affected licensees in scheduling examinations or inspections to minimize disruption and burden.

Working with Consumers

4) The Department notes that licensees should work constructively with borrowers and other consumers in affected communities. While COVID-19 is creating complications for licensees, many consumers may also be facing difficult circumstances in the coming days and weeks, including increased medical expenses, reduced availability of work hours as a result of decreased consumer demand, increased child care expenses due to school closures, and inability to visit locations to make payments due to illness. The Department hopes that these circumstances will be considered by licensees during this health concern.

Effective Date

5) This Eleventh Amended Interim Guidance is effective through December 31, 2022, but is subject to change, extension, or withdrawal.

Prepared by: Scott Lesher, Administrator, Oklahoma Department of Consumer Credit.