



STATE OF MISSISSIPPI  
DEPARTMENT OF BANKING AND CONSUMER FINANCE

Mailing Address:  
Post Office Box 12129  
Jackson, Mississippi 39236-2129

Telephone: (601) 321-6901  
Fax: (601) 321-6933  
Toll Free: 1-800-844-2499

**DATE:** March 16, 2020

**FROM:** Rhoshunda Kelly, Acting Commissioner

**TO:** Licensed Loan Originators and Companies that Sponsor them

**SUBJECT:** Interim Regulatory Guidance – Temporarily Working from Home

This memo is being issued in response to the advisories issued by the Centers for Disease and Control Prevention (CDC) and in response to the emergency proclamation issued by Governor Tate Reeves on March 14, 2020. The proclamation declared a state of emergency and directed state agencies to utilize state resources and to do everything reasonably possible to assist communities and entities affected by the outbreak. The proclamation further directed that the provisions of state statutes, rules, regulations or orders may be temporarily suspended or modified if compliance with such provisions would prevent, hinder, or delay action necessary to cope with this outbreak.

With the continued person-to-person transmission of COVID-19, licensed mortgage origination companies may wish to take precautions to further avoid the risk of exposure by having employees work at home. This includes mortgage loan originators who are otherwise required to only work from licensed locations.

This Interim Guidance outlines the Department's intent to temporarily allow licensed mortgage loan originators to work from home, whether located in Mississippi or another state, even if the home is not a licensed branch.

This Interim Guidance does not amend Sections 81-18-8, 81-18-25 or 81-18-29 of Mississippi Code of 1972. This specifically includes all state and federal data security requirements as set forth in the acts. All other provisions of the acts remain in place. This Interim Guidance is effective until further notice and is also subject to change.

If the data security provisions set forth below are met, the DBCF will not take administrative or other punitive action against a licensed mortgage loan originator or the sponsoring licensed company if the mortgage loan originator conducts activities requiring licensure from home.

The following data security requirements must be met to ensure the secure transmission and storage of consumer data during this interim period:

- 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 a multi-authentication process.
- All security updates, patches, or other alterations to the devices must be maintained.
- The licensed mortgage loan originator must not keep any physical business records at any location other than the secure file location listed in NMLS.

If MLO's choose to work from an unlicensed branch home, they shall not have consumers come to the home.

Do not hesitate to contact me or Traci if you have any questions.