

TEXAS DEPARTMENT OF SAVINGS AND MORTGAGE LENDING

2601 North Lamar, Suite 201, Austin, Texas 78705

Office: (512) 475-1350 Fax: (512) 475-1360

E-mail: LICENSING@sml.texas.gov

www.sml.texas.gov

ELIGIBILITY DETERMINATION APPLICATION PACKAGE

READ CAREFULLY BEFORE YOU FILL OUT APPLICATION

Pursuant to 7 *Texas Administrative Code* §81.103 an individual considering applying for an originator license may request a criminal history evaluation letter regarding the person's eligibility for a license, as defined in Occupations Code, Chapter 53, Subchapter D. The request must be made on a form promulgated by the Department and include all pertinent court documentation including certified copies of all judgments and orders, and an explanation of the circumstances and events of the criminal action that led to the conviction or sentence, and the basis for the person's potential ineligibility. The fee for this process is \$75 per request. Upon receipt of the request, the Department will investigate the information provided by the individual to determine if there are grounds for ineligibility; and notify the individual as to the Department's determination within 90 days of receipt of the individual's request.

- The application must be typed or legibly printed and accompanied by all necessary supporting documentation and applicable fees before processing can begin. Incomplete applications will add significant delay to the process.
- Only original signatures will be accepted.
- Fees are non-refundable and non-transferable. The check or money order for the processing fee of \$75.00 should be made payable to: Texas Department of Savings and Mortgage Lending.
- If there is a document that establishes something that you are listing in the application, attach a copy. If in doubt, attach a copy. All documents pertaining to criminal convictions or sentences must be certified from the court that had jurisdiction over your case.
- To be fully aware of the law and regulation on Residential Mortgage Loan Originators, carefully review Texas Finance Code, Chapters 156, 157, and 180, as applicable, and their implementing regulation. These are available on our website at: www.sml.texas.gov
- Be certain your application is complete and properly signed.
- It is important to provide current and accurate contact information on where you can be emailed or faxed regarding any questions we have of you. Applications not completed within 90 days from date of receipt for failure to respond to any request for additional information will result in a cancelled application. No extension to the expiration date is allowed, regardless of the circumstances.

**Mail application and \$75 payment to: Texas Department of Savings and Mortgage Lending
Licensing Section
2601 North Lamar Blvd., Ste. 201
Austin, Texas 78705**

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ELIGIBILITY DETERMINATION APPLICATION

- THIS APPLICATION MUST BE TYPED OR LEGIBLY PRINTED -
- FEES ARE NON-REFUNDABLE AND NON-TRANSFERABLE -

PART I – GENERAL.

APPLICANT’S FULL NAME: _____

SOCIAL SECURITY #: _____ - _____ - _____ DRIVER'S LICENSE: State _____ License Number _____

DATE OF BIRTH: _____ (MM/DD/YYYY)

PERSONAL PRINCIPAL RESIDENCE ADDRESS: _____

CITY, STATE, ZIP: _____

Indicate below where you can be reached during normal business hours. This information will be used if the Department needs to contact you regarding your application. Failure to provide current and accurate contact information may delay processing of your application. Any application not completed within 90 days will be considered permanently withdrawn.

PHONE: () _____ FAX: () _____

E-MAIL ADDRESS: _____

PART II – PERSONAL INFORMATION.

1. **Personal History.** Answer the following questions keeping in mind that a false statement may result in an inaccurate eligibility determination. If in doubt about an answer, answer “yes” and explain. Provide all of the documents requested in the application if you answer “yes”. It is very important to provide certified documents with your application since failure to do so will add significant delay to the process.

- (a) Have you ever been convicted of any **criminal offense**? *(Include all felonies and misdemeanors.)* () Yes () No
- (b) Have you ever had a sentence imposed on you, including probation, community supervision deferred adjudication, or fines, or did the court defer final disposition in any case against you? () Yes () No
- (c) Are there any criminal charges currently pending against you? () Yes () No

If you answered yes to (a), (b), or (c), you must provide certified copies of all court indictments and/or judgments; certified copies of all court orders; proof that you have paid all outstanding court costs, supervision fees, fines, and restitution ordered by the court; and an explanation of the circumstances and events of the criminal action that led to the conviction or sentence. The certified documentation should indicate whether the offense resulted in a misdemeanor or felony.

2. **Explanation Letter:** A written explanation as to why you believe you are potentially ineligible for a license.

3. **Additional comments:** If you have any additional comments or information that would assist the Commissioner in reaching an eligibility determination, please provide them on a separate sheet and include them with this application.

The Texas Department of Savings and Mortgage Lending obtains information from this form and certain third party sources. With few exceptions, you may review and correct the information we collect. To be informed about the information we collect or to make an open records request, contact our Public Information Officer at 512-475-1350 or licensing@sml.texas.gov

PART III – SIGNATURE

VERIFICATION / CONFIRMATION AUTHORIZATION

I AUTHORIZE THE TEXAS DEPARTMENT OF SAVINGS AND MORTGAGE LENDING, OR ITS DESIGNEE OR ASSIGNS, TO OBTAIN ANY AND ALL INFORMATION THEY DEEM NECESSARY REGARDING MY LEGAL STATUS/HISTORY AND PERSONAL AND/OR PROFESSIONAL BACKGROUND, INCLUDING A CRIMINAL BACKGROUND CHECK, IN ORDER TO DETERMINE ELIGIBILITY AND DISPOSITION OF MY APPLICATION. ANY AND ALL RELEASE OF INFORMATION REQUESTED BY THE TEXAS DEPARTMENT OF SAVINGS AND MORTGAGE LENDING FROM SOURCES OF INFORMATION IS WITH MY FULL AND UNCONDITIONAL AUTORIZATION.

I AUTHORIZE THE TEXAS DEPARTMENT OF SAVINGS AND MORTGAGE LENDING TO REPRODUCE THIS ACKNOWLEDGED FORM AS MANY TIMES AS NECESSARY TO OBTAIN THE NECESSARY INFORMATION; THEREFORE, A COPY BEARING MY SIGNATURE SHOULD BE CONSIDERED THE SAME AUTHORIZATION AS THE ORIGINAL.

I HOLD EACH COMPANY AND AGENCY PROVIDING REQUESTED INFORMATION TO THE TEXAS DEPARTMENT OF SAVINGS AND MORTGAGE LENDING AND ITS OFFICERS, DIRECTORS, AGENTS AND/OR EMPLOYEES HARMLESS FOR ACCURATELY AND PROMPTLY FURNISHING THE REQUESTED INFORMATION.

CERTIFICATION

UNDER PENALTY OF PERJURY, I HEREBY SWEAR OR AFFIRM THAT ALL THE FOREGOING INFORMATION AND ALL THE INFORMATION PROVIDED WITH THIS APPLICATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND I UNDERSTAND THAT ANY FALSE REPRESENTATION, MISREPRESENTATION OR MATERIAL OMISSION IN THIS APPLICATION, NO MATTER WHEN DISCOVERED, MAY SERVE AS A BASIS FOR FUTURE DENIAL OF MY LICENSE, REVOCATION OF MY LICENSE, ADMINISTRATIVE PENALTIES AND/OR OTHER DISCIPLINARY ACTIONS OR REMEDIES ALLOWED BY LAW.

I UNDERSTAND THAT FAILURE TO ANSWER ANY QUESTION TRUTHFULLY ON THIS APPLICATION MAY RESULT IN AN INACCURATE ELIGIBILITY DETERMINATION.

SIGNATURE: _____
Applicant

DATE: _____