§ 599-d. State license application. 1. Form of application. Applicants for a license under this article shall apply on a form prescribed by the superintendent. Each such form shall contain content as set forth by rule, regulation, instruction or procedure of the superintendent and may be changed or updated as necessary by the superintendent in order to carry out the purposes of this article. As part of such application and notwithstanding section eighteen-a of this chapter, the applicant (or his or her originating entity on his or her behalf) shall pay a fee as determined by the superintendent as an investigation and initial license fee; provided, however, that the investigation portion of such fee shall be no more than the superintendent's reasonable estimate of the actual cost or costs to the department to undertake such investigation of the applicant, and the initial license portion of such fee and the annual license fee as hereafter required pursuant to this article shall be a license fee amount determined by the superintendent.

2. Charges to originating entities. Any expense of the administration of this article with respect to the licensing of mortgage loan originators that is included with an assessment of originating entities pursuant to section seventeen of this chapter shall be levied only upon such originating entities having employed or affiliated mortgage loan originators that are required to be licensed.

3. Fee collection by the NMLSR. Any fee established pursuant to this section may be collected by the NMLSR and include a processing fee charged by that entity. Any such processing fees shall not be remitted to the superintendent and shall not be deemed revenue pursuant to this section or the state finance law.

4. Relationship with NMLSR. In order to fulfill the purposes of this article, the superintendent is authorized to establish contracts with the NMLSR or other entities designated by the NMLSR to collect and maintain records and process transaction fees or other fees related to licensees or other persons subject to this article.

5. Waiver or modification of requirements. The superintendent is authorized to waive or modify, in whole or part, by rule, regulation or

order, any and all requirements of this article and to establish new requirements as may be reasonably necessary to participate in the NMLSR or to comply with Title V of The Housing and Economic Recovery Act of 2008, also known as the S.A.F.E. Mortgage Licensing Act, as it may be amended from time to time, and regulations thereunder or interpretations thereof, that may be adopted from time to time by the Secretary of the U.S. Department of Housing and Urban Development.

6. Electronic filing. Notwithstanding article three of the state technology law or any other law to the contrary, the superintendent may require that any application for, or renewal of, a license or for any other submission or approval as may be required by this article, be made or executed by electronic means, including through the NMLSR or other entities designated by the NMLSR if he or she deems it necessary to ensure the efficient and effective administration of this article.

7. NMLSR as agent to distribute criminal background information. For the purposes of this section and in order to expedite the processing of all fingerprints, the superintendent is authorized to use the NMLSR as a channeling agent for requesting information from and distributing information to the U.S. Department of Justice or any governmental agency.

8. NMLSR as agent to distribute non-criminal background information. For the purposes of this section and in order to expedite the processing of all applications, including obtaining independent credit reports and information related to administrative, civil or criminal findings by any governmental jurisdiction, the superintendent is authorized to use the NMLSR as a channeling agent for requesting and distributing information to and from any source.

9. Background information. In connection with an application for licensing as a mortgage loan originator, the applicant shall, at a minimum, furnish to the NMLSR and the superintendent, as required by the superintendent, information concerning the applicant's identity, including:

(a) Fingerprints for submission to the Federal Bureau of

Investigation, and any governmental agency or entity authorized to receive such information for a state, national and international criminal history background check, as may be designated by the superintendent; and

(b) Personal history and experience in a form prescribed by the NMLSR, including the submission of authorization for the NMLSR to obtain:

(i) an independent credit report from a consumer reporting agency described in section 603(p) of the Fair Credit Reporting Act; and

(ii) information related to any administrative, civil or criminal findings by any governmental jurisdiction.

(c) The current business name and principal address of the originating entity employing the applicant or with which the applicant has an affiliation; and

(d) Such other pertinent information as the superintendent may require.