

ADVERTISING AND SOCIAL MEDIA

This bulletin provides guidance regarding advertising for any person that is licensed as a mortgage loan originator.

Background

Section 2244 of the Vermont Licensed Lenders Act, 8 V.S.A. Chapter 73, requires any person originating a residential mortgage loan or engaging in the business of lending or acting as a mortgage broker or sales finance company to clearly show the person's unique identifier issued by the Nationwide Multistate Licensing System (NMLS ID) on all loan application forms, solicitations, or advertisements, including business cards or websites, and any other documents.

The NMLS ID is a unique number issued to a single individual or legal entity. It is not issued to a group of individuals or a family of affiliates. An individual's NMLS ID correlates to a mortgage loan originator license.

In addition, no licensee may transact business or make loans using any other name or at any other place of business than that named on the license. 8 V.S.A. § 2228. Each license that is issued authorizes the licensee to transact business using a designated name at a designated location.

Guidance

Any advertisement, regardless of medium, that identifies an individual as a mortgage loan originator or engaged in mortgage activity must clearly display the individual's NMLS ID in a manner no less prominent than the individual's title or activity. Example: Jane A. Smith, *Mortgage Loan Professional, NMLS ID 11223344*. This guidance also applies to any other document or correspondence, including business cards and email signatures.

If an individual's advertisement identifies the sponsoring licensee's name, it must include the sponsoring licensee's NMLS ID. Example: Jane A. Smith, *Mortgage Loan Professional, NMLS ID 11223344*, Gray Granite Mortgage Company, *NMLS ID 998877*.

Any name that is displayed in an advertisement must be properly licensed and appear exactly as it is stated on the license certificate. If a licensee uses a name other than its legal name, such as "The Jane Doe Team" or "John Smith & Company," the sponsoring licensee must obtain an



additional license to use the other name for each location where it intends to transact business using the other name.

Any address that is displayed in an advertisement must be a licensed location and be the same address that appears on the license certificate.

A licensee, especially a licensee that employs and sponsors mortgage loan originators, is responsible for oversight to ensure compliance with Vermont law. Appropriate oversight includes the following:

- 1) Establish a policy for sponsored mortgage loan originators to provide guidance for advertising and promotional activities including, but not limited to, business cards, email signatures, websites, and social media.
- 2) Review all advertisements before publication and monitor periodically to ensure continued compliance.
- 3) Provide advertising requirements to third parties that publish advertisements, i.e. Picket Fences, and design websites or provide platforms, i.e. Facebook or LinkedIn, and follow up to confirm compliance before advertisements or products are placed into production.



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