

Residential Mortgage Lending

Southeast Region Highlights

Below are highlights of the December 2025 edition of Residential Mortgage Lending: State Regulation Manual Southeast Region.

NOTE: The NMLS has reorganized the license checklists so that each state has just one website that lists all license types managed on NMLS. The new Checklist Compiler link has been updated in each of the state updates. <https://mortgage.nationwidelicencingsystem.org/slr/sitepages/checklist-compiler.asp>

Alabama

§ 5:2 – Remove existing exhibit and replace with new file.

Florida

§ 2:24 – Bona fide nonprofit organizations and their loan originator employees are now exempt from licensing.

Kentucky

§ 2:1 – Financial institutions, including mortgage loan companies and mortgage loan brokers, may institute an action against any person alleged to have used the institution's name, trade name, trademark, service mark, logo or symbol (or any similar name) without the permission of the financial institution. [Ch. 76, Laws of 2024.]

§ § 2:7, 2:24 – Effective July 2024, mortgage loan company applicants must pay a fee of \$2,500, and mortgage loan brokers a fee of \$1,000, which covers the application fee and licensing fee for all licensed locations, including changes of addresses.

In 2022, the annual fee was replaced by an annual assessment, which was amended in 2024 to reduce the amount of the assessments. The annual assessment is based on origination and servicing volumes and covers the renewal fee for the principal office, including any branches, and any examination-related costs incurred by the Department. The assessment will not be less than \$1,000 or more than \$15,000. The assessment is determined by applying a factor of .01 percent to that combined volume for the previous 12-month period ending September 30.

If an applicant for a license has surrendered a license or allowed a license to expire within 90 days before submitting the application, the applicant must pay, in addition to any other fee required under this section, any annual assessment fees that remained unpaid at the time the license was surrendered or expired.

Mississippi

New § 5:3 – Department of Banking and Consumer Finance Memorandum on Acquisition of 10% or More Interest in a Licensee

South Carolina

§ 2:28 – Lenders may use the federal average prime offer rate as a substitute for retired net yields when performing the threshold calculation required for high-cost home loans.

New § 5:4 – Administrative Interpretation 23.20-204 regarding use of the federal average prime offer rate as a substitute for retired net yields when performing the threshold calculation required for high-cost home loans.