

DEPARTMENT OF COMMERCE
OFFICE OF THE COMMISSIONER OF BANKS
NON-DEPOSITORY INSTITUTIONS DIVISION
MORTGAGE SECTION

Program Records Retention and Disposition Schedule

The Program Records Retention and Disposition Schedule and retention periods governing the records series listed herein are hereby approved. In accordance with the provisions of Chapters 121 and 132 of the General Statutes of North Carolina, it is agreed that the records of the

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do not and will not have further official use or value for administrative, research, or reference purposes after the respective retention periods specified herein. The N.C. Department of Cultural Resources consents to the destruction or other disposition of these records in accordance with the retention and disposition instructions specified in this schedule. However, records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule.

The Office of the Commissioner of the Banks and the Department of Cultural Resources agree that certain records series have minimal administrative, reference, or historical value. When the custodian of any official State records certifies to the Department of Cultural Resources that such records have no further use or value for official and administrative business and when the Department certifies that such records appear to have no further use or value for research or reference, then such records may be destroyed or otherwise disposed of by the agency having custody of them. As part of its program operations the Office of the Commissioner of the Banks agrees to establish and enforce internal policies. The policy will specify how long those records must be retained and when they must be destroyed.

E-mail messages sent or received by Executive Branch agencies shall be retained for 10 years pursuant to Executive Order No. 18 (issued July 7, 2009 by Governor Beverly Perdue) and as set forth in G1 of the General Schedule for State Agency Records. Any E-mail messages requiring retention longer than 10 years, including those with permanent historical value, shall be designated with specific retention periods in this program records schedule. **Public records including electronic records not listed in this schedule or in the *General Schedule for State Agency Records* are not authorized to be destroyed. The**

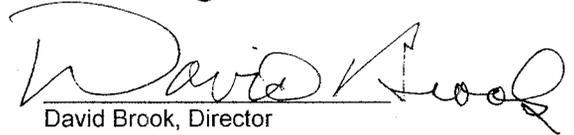
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agrees to destroy, transfer or dispose of records in the manner and at the times specified herein. This schedule is to remain in effect until superseded.

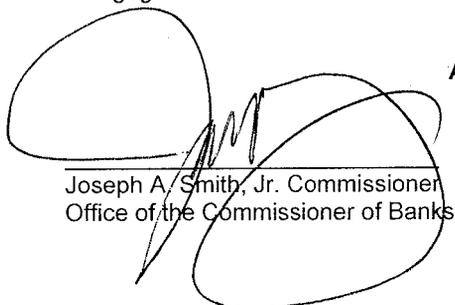
APPROVAL RECOMMENDED


Shannon Hobby, Chief Records Officer


Charlie J. Fields, Jr., Mortgage Director
Mortgage Section


David Brook, Director
Division of Historical Resources

APPROVED


Joseph A. Smith, Jr. Commissioner
Office of the Commissioner of Banks


Linda A. Carlisle, Secretary
Department of Cultural Resources

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ITEM 38202. MORTGAGE LENDER/SERVICER/BROKER ACTIVE FILE.

Records in paper and electronic formats, including e-mail, concerning Mortgage Lender/Servicer/Broker applications. File includes initial applications, renewal applications, license changes and updates, related work papers, surety bonds or audited financials, reverse mortgage applications, and related correspondence. Data is entered into the North Carolina Mortgage Division Database (Electronic) File (Item 49364) (Data is also entered into the Nationwide Mortgage Licensing System (NMLS), a national registry of mortgage-related records). Paper records dated July 1, 2010 and later have been scanned and entered into the North Carolina Mortgage Division Database (Electronic) File (Item 49364). (Comply with applicable provisions of G.S. 53-99 and G.S. 53B regarding confidentiality of records.)

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Scan in office paper records dated July 1, 2010 and later. Destroy in office paper copies of scanned records after all quality control procedures have been completed. Transfer scanned images to the North Carolina Mortgage Division Database (Electronic) File (Item 49364). Transfer records to Mortgage Lender/Servicer/Broker Exempt File (Item 38204) if licensee becomes exempt. Transfer records of non-exempt companies to Mortgage Lender/Servicer/Broker Terminated File when license is terminated (i.e., expired, surrendered, cancelled, or revoked) (Item 49357). Transfer records of surety bonds to Mortgage Lender/Servicer/Broker Surety Bond File when license is terminated (i.e., expired, surrendered, cancelled, or revoked) (Item 49356).

ITEM 38203. MORTGAGE LENDER/SERVICER/BROKER INTERNAL CORRESPONDENCE FILE.

Correspondence in paper and electronic formats, including e-mail, concerning inquiries and other concerns of the Mortgage Lender/Servicer/Broker regulation process and procedure. Data is entered into the North Carolina Mortgage Division Database (Electronic) File (Item 49364). Paper records dated August 1, 2010 and later have been scanned and entered into the North Carolina Mortgage Division Database (Electronic) File (Item 49364). (Comply with applicable provisions of G.S. 53-99 and G.S. 53B regarding confidentiality of records.)

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Scan in office paper records dated August 1, 2010 and later. Destroy in office paper copies of scanned records after all quality control procedures have been completed. Transfer scanned images to the North Carolina Mortgage Division Database (Electronic) File (Item 49634).

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ITEM 38204. MORTGAGE LENDER/SERVICER/BROKER EXEMPT FILE.

Records in paper and electronic formats, including e-mail, concerning exempt Mortgage Lender/Service/Broker company applications. File includes claim of exemption form and related correspondence. Data is entered into the North Carolina Mortgage Division Database (Electronic) File (Item 49364) (Data is also entered into the Nationwide Mortgage Licensing System (NMLS), a national registry of mortgage-related records). Records dated July 1, 2010 and later have been scanned and entered into the North Carolina Mortgage Division Database (Electronic) File (Item 49364). (Comply with applicable provisions of G.S. 53-99 and G.S. 53B regarding confidentiality of records.)

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Scan in office paper records dated July 1, 2010 and later. Transfer scanned images to the North Carolina Mortgage Division Database (Electronic) File (Item 49364). Transfer paper records to the Mortgage Lender/Service/Broker Terminated File (Item 49364) when notified that an exempt company has ceased doing business.

ITEM 38205. MORTGAGE LENDER/SERVICER/BROKER DENIED OR WITHDRAWN APPLICATION FILE.

Records in paper and electronic formats, including e-mail, concerning Mortgage Lender/Service/Broker denied or withdrawn applications. File includes initial applications, application changes and updates, related work papers, and all related correspondence. Data is entered into the North Carolina Mortgage Division Database (Electronic) File (Item 49364) (Data is also entered into the Nationwide Mortgage Licensing System (NMLS), a national registry of mortgage-related records). Paper records dated July 1, 2010 and later have been scanned and entered into the North Carolina Mortgage Division Database (Electronic) File (Item 49364). (Comply with applicable provisions of G.S. 53-99 and G.S. 53B regarding confidentiality of records.)

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Scan in office paper records dated July 1, 2010 and later. Destroy in office paper copies of scanned records after all quality control procedures have been completed. Transfer scanned images to the North Carolina Mortgage Division Database (Electronic) File (Item 49364). Destroy in office remaining paper records 3 years after application is denied or withdrawn.

ITEM 38206. MORTGAGE LENDER/SERVICER/BROKER CORRESPONDENCE FILE.

Correspondence in paper and electronic formats, including e-mail, concerning industry inquiries or concerns pertaining to Mortgage Lender/Service/Broker licensees. Data is entered into the North Carolina Mortgage Division Database (Electronic) File (Item 49364). Paper records dated August 1, 2010 and later have been scanned and entered into the North Carolina Mortgage Division Database (Electronic) File (Item 49364). (Comply with applicable provisions of G.S. 53-99 and G.S. 53B regarding confidentiality of records.)

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Scan in office paper records dated August 1, 2010 and later. Destroy in office paper copies of scanned records after all quality control procedures have been completed. Transfer scanned images to the North Carolina Mortgage Division Database (Electronic) File (Item 49364). Destroy remaining records in office when reference value ends.

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ITEM 38207. MORTGAGE OTHER REGULATORY CORRESPONDENCE FILE.

Correspondence in paper and electronic formats, including e-mail, to and from the State Banking Commission concerning requests for information relating to Mortgage Lender/Servicer/ Broker licensees from other State and Federal regulators, other licensees, or industry related parties. Data is entered into the North Carolina Mortgage Division Database (Electronic) File (Item 49364). Paper records dated August 1, 2010 and later have been scanned and entered into the North Carolina Mortgage Division Database (Electronic) File (Item 49364). (Comply with applicable provisions of G.S. 53-99 and G.S. 53B regarding confidentiality of records.)

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Scan in office paper records dated August 1, 2010 and later. Destroy in office paper copies of scanned records after all quality control procedures have been completed. Transfer scanned images to the North Carolina Mortgage Division Database (Electronic) File (Item 49364). Destroy remaining records in office when reference value ends.

ITEM 49356. MORTGAGE LENDER/SERVICER/BROKER SURETY BOND FILE.

Records in paper and electronic formats, including e-mail, concerning original surety bonds of Mortgage Lenders/Servicers/Brokers. Data is entered into the North Carolina Mortgage Division Database (Electronic) File. Paper records dated July 1, 2010 and later have been scanned and entered into the North Carolina Mortgage Division Database (Electronic) File (Item 49364). Transfer scanned images to the North Carolina Mortgage Division Database (Electronic) File. Retain in office original Surety Bond. (Comply with applicable provisions of G.S. 53-99 and G.S. 53B regarding confidentiality of records.)

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Scan in office paper records dated August 1, 2010 and later. Destroy in office original Surety Bond and remaining records 5 years after termination of licensee.

ITEM 49357. MORTGAGE LENDER/SERVICER/BROKER TERMINATED FILE.

Records in paper and electronic formats, including e-mail, concerning Mortgage Lender/Servicer/Broker licensees that are expired, surrendered, cancelled, or revoked. Records include initial applications, renewal applications, license changes and updates, related work papers, surety bonds or audited financials, reverse mortgage applications, and related correspondence. Records may include claims of exemption forms and related correspondence. Data is entered into the North Carolina Mortgage Division Database (Electronic) File (Item 49364) (Data is also entered into the Nationwide Mortgage Licensing System (NMLS), a national registry of mortgage-related records). Paper records dated August 1, 2010 and later have been scanned and entered into the North Carolina Mortgage Division Database (Electronic) File (Item 49364). (Comply with applicable provisions of G.S. 53-99 and G.S. 53B regarding confidentiality of records.)

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Scan in office paper records dated August 1, 2010 and later. Destroy in office paper copies of scanned records after all quality control procedures have been completed. Transfer scanned images to the North Carolina Mortgage Division Database (Electronic) File (Item 49364). Destroy in office remaining paper records after 3 years.

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ITEM 49358. MORTGAGE LOAN ORIGINATOR ACTIVE FILE.

Records in paper and electronic formats, including e-mail, concerning individual licensure for a mortgage loan originator license in North Carolina. File includes initial individual applications, renewal applications, license changes and updates, related work papers and related correspondence. Data is entered into the North Carolina Mortgage Division Database (Electronic) File (Item 49364) (Data is also entered into the Nationwide Mortgage Licensing System (NMLS), a national registry of mortgage-related records). Paper records dated July 1, 2010 and later have been scanned and entered into the North Carolina Mortgage Division Database (Electronic) File (Item 49364). (Comply with applicable provisions of G.S. 53-99 and G.S. 53B regarding confidentiality of records.)

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Scan in office paper records dated July 1, 2010 and later. Destroy in office paper copies of scanned records after all quality control procedures have been completed. Transfer scanned images to the North Carolina Mortgage Division Database (Electronic) File (Item 49364). Transfer remaining paper records to Mortgage Loan Originator Terminated File when license is terminated (i.e., expired, surrendered, cancelled, or revoked) (Item 49364).

ITEM 49359. MORTGAGE LOAN ORIGINATOR DENIED OR WITHDRAWN FILE.

Records in paper and electronic formats, including e-mail, concerning Mortgage Loan Originator initial applications, application changes and updates, related work papers, and all related correspondence. Data is entered into the North Carolina Mortgage Division Database (Electronic) File (Item 49364) (Data is also entered into the Nationwide Mortgage Licensing System (NMLS), a national registry of mortgage-related records). Paper records dated July 1, 2010 and later have been scanned and entered into the North Carolina Mortgage Division Database (Electronic) File (Item 49364). (Comply with applicable provisions of G.S. 53-99 and G.S. 53B regarding confidentiality of records.)

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Scan in office paper records dated July 1, 2010 and later. Destroy in office paper copies of scanned records after all quality control procedures have been completed. Transfer scanned images to the North Carolina Mortgage Division Database (Electronic) File (Item 49364). Destroy in office remaining paper records 3 years after application is denied or withdrawn.

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ITEM 49360. MORTGAGE LOAN ORIGINATOR TERMINATED FILE.

Records in paper and electronic formats, including e-mail, concerning Mortgage Loan Originator licensees that are expired, surrendered, cancelled, or revoked. Records include initial applications, renewal applications, license changes and updates, related work papers, surety bonds or audited financials and related correspondence. Data is entered into the North Carolina Mortgage Division Database (Electronic) File (Item 49364) (Data is also entered into the Nationwide Mortgage Licensing System (NMLS), a national registry of mortgage-related records). Paper records dated August 1, 2010 and later have been scanned and entered into the North Carolina Mortgage Division Database (Electronic) File (Item 49364). (Comply with applicable provisions of G.S. 53-99 and G.S. 53B regarding confidentiality of records.)

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Scan in office paper records dated August 1, 2010 and later. Destroy in office paper copies of scanned records after all quality control procedures have been completed. Transfer scanned images to the North Carolina Mortgage Division Database (Electronic) File (Item 49364). Destroy in office remaining paper records after 3 years.

ITEM 49361. MORTGAGE FINGER PRINT RECORDS FILE.

Records in paper and electronic formats, including e-mail, concerning finger printing and finger printing information of an individual as a part of the application process. File includes Authorization of Release of Information Form (ARIF) and Record of Arrest and Prosecutions. Certain data is entered into the North Carolina Mortgage Division Database (Electronic) File (Item 49364). (Comply with applicable provisions of G.S. 53-99 and G.S. 53B regarding confidentiality of records.)

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Destroy in office Authorization of Release of Information Forms 1 year after date of receipt. Destroy in office Record of Arrest and Prosecutions after final determination is made.

ITEM 49362. MORTGAGE EXAMINATION FILE.

Records in paper and electronic formats, including e-mail, concerning examination of Mortgage Lender/Servicer/Broker licensees. File includes Uniform Questionnaire, working papers, exhibits, reports and related correspondence. Data is entered into the North Carolina Mortgage Division Database (Electronic) File (Item 49364) (Data is also entered into the Nationwide Mortgage Licensing System (NMLS), a national registry of mortgage-related records). Paper records dated August 1, 2010 and later have been scanned and entered into the North Carolina Mortgage Division Database (Electronic) File (Item 49364). (Comply with applicable provisions of G.S. 53-99 and G.S. 53B regarding confidentiality of records.)

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Scan in office paper records dated August 1, 2010 and later. Destroy in office paper copies of scanned records after all quality control procedures have been completed. Transfer scanned images to the North Carolina Mortgage Division Database (Electronic) File (Item 49364). Transfer remaining paper records to Mortgage Terminated Examination File (Item 49363 when Mortgage Lender/Servicer/Broker company license is terminated).

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ITEM 49363. MORTGAGE TERMINATED EXAMINATION FILE.

Records in paper and electronic formats, including e-mail, concerning Mortgage Lender/Service/Broker closed examinations. Data in paper formats dated July 31, 2010 and earlier is entered into the North Carolina Mortgage Division Database (Electronic) File (Item 49364). Paper records dated August 1, 2010 and later have been scanned and entered into the North Carolina Mortgage Division Database (Electronic) File (Item 49364). (Comply with applicable provisions of G.S. 53-99 and G.S. 53B regarding confidentiality of records.)

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18, issued July 7, 2009 by Governor Beverly Perdue. Scan in office paper records dated August 1, 2010 and later. Destroy in office paper copies of scanned records after all quality control procedures have been completed. Transfer scanned images to the North Carolina Mortgage Division Database (Electronic) File (Item 49364). Destroy in office remaining paper records after 3 years.

ITEM 49364. NORTH CAROLINA MORTGAGE DIVISION DATABASE (ELECTRONIC) FILE.

Electronic records concerning Mortgage Lender/Service/Broker companies and Mortgage Loan Originators supervised by the Office. Electronic file includes applications for licenses, reports, examination data, and other related data. Data is entered into this database from the Mortgage Lender/Service/Broker Active File (Item 38202), Mortgage Lender/Service/Broker Internal Correspondence File (Item 38203), Mortgage Lender/Service/Broker Exempt File (Item 38204), Mortgage Lender/Service/Broker Denied or Withdrawn Application File (Item 38205), Mortgage Lender/Service/Broker Industry Correspondence File (Item 38206), Mortgage Other Regulatory Correspondence File (Item 38207), Mortgage Lender/Service/Broker Surety Bond File (Item 49356), Mortgage Lender/Service/Broker Terminated File (Item 49357), Mortgage Loan Originator Active File (Item 49358), Mortgage Loan Originator Denied or Withdrawn File (Item 49356), Mortgage Loan Originator Terminated File (Item 49360), Mortgage Finger Print Records File (Item 49361), Mortgage Examination File (Item 49362), Mortgage Terminated Examination File (Item 49363), and Mortgage Director Correspondence File (Item 49365), and by regulated companies and individuals. (Comply with G.S. 53-99 and G.S. 53B regarding confidentiality of records.)

DISPOSITION INSTRUCTIONS: Update in office routinely. Retain in office permanently.

ITEM 49365. MORTGAGE DIRECTOR CORRESPONDENCE FILE.

Correspondence in paper and electronic formats, including e-mail, sent or received concerning the administration and management of the Mortgage Division. File includes correspondence, memorandums, and other related records concerning fee schedules, proposed legislation, litigation, and legal interpretations, and decisions on policies for activities of the Mortgage Division. (Comply with applicable provisions of G.S. 53-99 and G.S. 53B regarding confidentiality of records.)

DISPOSITION INSTRUCTIONS: Transfer records to the State Records Center after 5 years. Paper records will be held for agency in the State Records Center for 5 additional years and then transferred to the custody of the Archives. Electronic records will be transferred immediately to the custody of the Archives. Contact the Electronic Records Branch prior to the transfer of electronic records.