

## **R162-2c-204 License Renewal.**

- (1) Renewal period.
  - (a) Any person who holds an active license as of October 31 shall renew by December 31 of the same calendar year.
  - (b) Any person who obtains a license on or after November 1 shall renew by December 31 of the following calendar year.
  
- (2) Qualification for renewal.
  - (a) Character.
    - (i) Individuals and control persons applying for a renewed license shall evidence that they maintain good moral character, honesty, integrity, and truthfulness as required for initial licensure.
    - (ii) An individual applying for a renewed license may not have:
      - (A) a felony that resulted in a conviction or plea agreement during the renewal period; or
      - (B) a finding of fraud, misrepresentation, or deceit entered against the applicant by a court of competent jurisdiction or a government agency and occurring within the renewal period.
    - (iii) The division may deny an individual applicant a renewed license upon evidence, as outlined in R162-2c-202(1)(b), of circumstances that reflect negatively on the applicant's character, honesty, integrity, or truthfulness and that:
      - (A) occurred during the renewal period; or
      - (B) were not disclosed and considered in a previous application or renewal.
    - (iv) The division may deny an entity applicant a renewed license upon evidence that a control person fails to meet the standards for character, honesty, integrity, and truthfulness required of individual applicants.
  - (b) Competency.
    - (i) Individual applicants and control persons shall evidence that they maintain the competency required for initial licensure.
    - (ii) The division may deny an individual applicant a renewed license upon evidence, as outlined in R162-2c-202(2), of circumstances that reflect negatively on the applicant's competency and that:
      - (A) occurred during the renewal period; or
      - (B) were not disclosed and considered in a previous application or renewal.
    - (iii) The division may deny an entity applicant a renewed license upon evidence that a control person fails to meet the standard for competency required of individual applicants.
  - (c) Continuing education.
    - (i) Beginning January 1, 2011, an individual who holds an active license as of January 1 of the calendar year shall complete eight hours of non-duplicative continuing education:
      - (A) approved through the nationwide database; and

- (B) consisting of:
    - (I) three hours federal laws and regulations;
    - (II) two hours ethics (fraud, consumer protection, fair lending);
    - (III) two hours non-traditional; and
    - (IV) one hour elective.
  - (ii) An individual who completes pre-licensing education and obtains the associated license between January 1 and December 31 of the calendar year is exempt from continuing education for the renewal period ending December 31 of the same calendar year.
  - (iii) Continuing education courses shall be completed within the renewal period.
  - (iv) Continuing education courses shall be non-duplicative of courses taken in the preceding renewal period.
- (3) Renewal procedures for the renewal period ending December 31, 2010. In order to renew by December 31, 2010:
  - (a) an individual licensee shall:
    - (i) evidence having completed a minimum of:
      - (A) 20 hours of prelicensing education as approved by:
        - (I) the division; or
        - (II) the nationwide database; or
      - (B) 28 hours of division-approved continuing education in the two previous renewal cycles;
    - (ii) evidence having taken and passed a Utah licensing examination as approved by the commission;
    - (iii) register in the nationwide database by May 31, 2010;
    - (iv) (A) evidence having completed, since the date of last renewal, continuing education approved by either the division or the nationwide database, non-duplicative of any hours required to satisfy the registration education requirement under this Subsection (3)(a)(i), and:
      - (I) totaling 14 hours if licensed as of October 1, 2009; or
      - (II) totaling eight hours if licensed on or after October 1, 2009; or
    - (B) if licensed as a mortgage loan originator, evidence having completed, since January 1, 2010, all requirements to obtain an ALM or a PLM license, pursuant to Subsection R162-2c-201;
    - (v) take and pass the national component of the licensing examination as approved by the nationwide database;
    - (vi) submit to the division the jurisdiction-specific documents and information required by the nationwide database; and
    - (vii) submit through the nationwide database:
      - (A) a request for renewal; and
      - (B) all fees as required by the division and by the nationwide database.
  - (b) an entity licensee shall:
    - (i) register in the nationwide database by May 31, 2010;

- (ii) submit to the division the jurisdiction-specific documents and information required by the nationwide database;
  - (iii) submit through the nationwide database a request for renewal;
  - (iv) renew the registration of any branch office or other trade name registered under the license of the entity; and
  - (v) pay through the nationwide database all renewal fees required by the division and by the nationwide database.
- (4) Renewal procedures for the renewal period ending December 31, 2011. In order to renew by December 31, 2011,
  - (a) an individual licensee shall:
    - (i) evidence having completed, since the date of last renewal, continuing education:
      - (A) as required by Subsection (2)(c);
      - (B) non-duplicative of any continuing education hours taken in the previous renewal cycle; and
      - (C) approved by the nationwide database;
    - (ii) submit to the division the jurisdiction-specific documents and information required by the nationwide database; and
    - (iii) submit through the nationwide database:
      - (A) a request for renewal; and
      - (B) all fees as required by the division and by the nationwide database.
  - (b) an entity licensee shall:
    - (i) submit through the nationwide database a request for renewal;
    - (ii) submit to the division the jurisdiction-specific documents and information required by the nationwide database;
    - (iii) renew the registration of any branch office or other trade name registered under the entity license; and
    - (iv) pay through the nationwide database all renewal fees required by the division and by the nationwide database.
- (5) Reinstatement.
  - (a) To reinstate an expired license, a person shall, by February 28 of the calendar year following the date on which the license expired:
    - (i) comply with all requirements for an on-time renewal; and
    - (ii) pay through the nationwide database all late fees and other fees as required by the division and the nationwide database.
  - (b) A person may not reinstate a license after February 28. To obtain a license after the reinstatement period described in Subsection (5)(a) expires, a person shall reapply as a new applicant.