



**Testimony offered on behalf of:
Mortgage Bankers Association**

**POSITION OF SUPPORT for HB 2568
Amendment of Kansas Mortgage Business Act to Authorize Certain
Mortgage Business to be Conducted at Remote Locations**

The Mortgage Bankers Association (MBA)¹ appreciates the opportunity to provide testimony before the Senate Committee on Financial Institutions and Insurance regarding House Bill 2568 that would permit Kansas licensed mortgage loan originators (MLOs) to work from other than a licensed location. MBA thanks the Kansas Office of the State Bank Commissioner (OSBC) for proposing this legislation, which is consistent with MBA's model state legislation and regulation for remote work and the 14 states that have in the last 12 months acted to permanently allow similar MLO licensing flexibility.

MBA commends Kansas mortgage industry regulators for their leadership during the global Coronavirus pandemic by issuing remote work guidance. These authorizations have been essential to protect the health of real estate finance professionals in Kansas and throughout the country as well as the consumers they serve seeking to buy, sell or refinance a home in Kansas. Mostly importantly, without putting themselves or family members at greater risk this policy allowed state licensed staff to help those Kansans who lost their jobs or suffered income loss to stay in their homes through a mortgage forbearance and ultimately a sustainable post-forbearance option.

However, given the uncertainty trajectory of virus and newly emerging strains as well as the uncertain long-term effectiveness of vaccines, additional flexibility and legal certainty is necessary to protect consumer and employee health as well as proved customer assistance most impacted by the economic upheaval created by the health crisis. HB 2568 provides

¹ The Mortgage Bankers Association (MBA) is the national association representing the real estate finance industry, an industry that employs more than 390,000 people in virtually every community in the country. Headquartered in Washington, D.C., the association works to ensure the continued strength of the nation's residential and commercial real estate markets, to expand homeownership, and to extend access to affordable housing to all Americans. MBA promotes fair and ethical lending practices and fosters professional excellence among real estate finance employees through a wide range of educational programs and a variety of publications. Its membership of more than 2,000 companies includes all elements of real estate finance: independent mortgage banks, mortgage brokers, commercial banks, thrifts, REITs, Wall Street conduits, life insurance companies, credit unions, and others in the mortgage lending field. For additional information, visit MBA's website: www.mba.org.

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protection for the health and safety of Kansas residents and permits mortgage lenders to effectively serve them. Moreover, this legislation provides for strong consumer data protection and does not in any way diminish important state and federal consumer protection laws and rules.

In addition, HB 2568 represents an opportunity to apply lessons learned from the pandemic to a post-pandemic economy and help prepare all stakeholders for any future national emergencies or regional natural disasters. Furthermore, HB 2568 would allow mortgage lenders to better serve those in rural communities and communities of color by providing the flexibility for MLOs to meet with a borrower away from a licensed branch that may have been difficult for a borrower to travel to and complete their requested financial transaction.

MBA looks forward to the opportunity to work with this committee and members of the legislature to support the passage of HB2568 and answer any questions pertaining to remote work.

Thank you for your consideration,

Kobie Pruitt
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