



March 20, 2020

8584 Katy Freeway, Suite 420

Houston, TX 77024

Phone: 713-871-0005

Fax: 713-871-1358

Partners

Thomas E. Black, Jr.¹

Gregory S. Graham²

Shawn P. Black³

Managing Attorney Houston

Ryan Black⁴

Senior Lawyers

David F. Dulock

Diane M. Gleason

Daniel S. Engle³

Margaret Noles

Associates

Nick Stevens

Sydney Davis

Brandon Pieratt

Of Counsel

David M. Tritter

Calvin C. Mann, Jr.

Retired Partner(s)

Calvin C. Mann, Jr.

¹ Also Licensed in Iowa, New York, and Washington

² Also Licensed in Georgia

³ Also Licensed in New York

⁴ Also Licensed in Washington D.C.

To: Clients and Friends

From: David F. Dulock

Subject: TDSML Issues Notice Temporarily Suspending Requirement that Mortgage Entity Licensed Locations be Open to the Public

Due to the COVID-19 situation, the Texas Department of Savings and Mortgage Lending posted on its website the following notice, [click here](#), temporarily suspending the requirement for public accessibility to licensed mortgage loan offices and permitting mortgage loan originators to work from home or unlicensed remote locations.

For your convenience the text of the notice is reprinted below:

“COVID-19 – RE: Mortgage Entity Licensed Location Requirements and Branch Licensing

“On March 13, 2020, Governor Greg Abbott issued a State of Disaster in all Texas counties due to the COVID-19 outbreak. By declaring the State of Disaster, a number of actions were triggered by the Governor, one of which authorized the use of all available and necessary state government resources to help manage this situation.

“To aid in managing the situation and put health and safety first, the Department of Savings and Mortgage Lending has been authorized to temporarily suspend any requirement that a physical office be open to the public during posted normal business hours. Additionally, licensed mortgage loan originators may work from home or another remote location, whether located in Texas or another state, even if the home or remote location is not a licensed branch. These allowances do not amend Texas Finance Code, Chapters 156 and/or 157 and are being allowed strictly due to the COVID-19 situation.

“If a licensed residential mortgage loan originator or mortgage loan staff works remotely, licensed mortgage entities must ensure that:

- strict security of information is maintained,
- all physical business records are kept at a licensed office, not at the mortgage loan originator’s home, a remote location or in any unlicensed branch office, and
- that consumers are not allowed to go to the mortgage loan originator’s home.

“These allowances will be effective until terminated by the Office of the Governor or until the March 13, 2020 disaster declaration is lifted or expires, whichever is earlier.”

This Memorandum is provided as general information in regard to the subject matter covered, but no representations or warranty of the accuracy or reliability of the content of this information are made or implied. Opinions expressed in this memorandum are those of the author alone. In publishing this information, neither the author nor the law firm of Black, Mann & Graham L.L.P. is engaged in rendering legal services. While this information concerns legal and regulatory matters, it is not legal advice and its use creates no attorney-client relationship or any other basis for reliance on the information. Readers should not place reliance on this information alone, but should seek independent legal advice regarding the law applicable to matters of interest or concern to them. The law firm of Black, Mann & Graham L.L.P. expressly disclaims any obligation to keep the content of this information current or free of errors.