

# **Schedule 72-4**

## **BANKING AND FINANCE**

### **MORTGAGE BANKERS**

**June 23, 2023**

Nebraska Records Management Division  
3242 Salt Creek Circle  
Lincoln, NE 68504  
(402) 471-2559

**REQUEST FOR APPROVAL  
OF RECORDS RETENTION  
AND DISPOSITION SCHEDULE**

SCHEDULE <b>72-4</b>
AGENCY, BOARD OR COMMISSION <b>BANKING AND FINANCE</b>
DIVISION, BUREAU OR OTHER UNIT <b>MORTGAGE BANKERS</b>
Supersedes Edition of October 31, 2014

**TO: STATE RECORDS ADMINISTRATOR  
STATE OF NEBRASKA**

**PART I – AGENCY STATEMENT:**

In accordance with Section 84-1212.01, R.R.S. 1943, approval of the attached records retention and disposition schedule by the State Records Administrator is hereby requested. Retention periods and dispositions have been recommended by this agency after a careful evaluation of all factors listed in Section 84-1212.01, R.R.S. 1943.

SIGNATURE  
*Kelly Lammers*

TITLE  
Director

DATE  
Jun 21, 2023

**PART II – APPROVAL OF STATE ARCHIVES:**

The attached schedule has been analyzed, all archival and historical material has been properly identified, no disposition except by transfer to the State Archives has been recommended for such material, and this schedule is approved as submitted.

SIGNATURE  
*Anna Holley*  
Anna Holley (Jun 23, 2023 08:08 CDT)

DATE  
Jun 23, 2023

**PART III – APPROVAL OF AUDITOR OF PUBLIC ACCOUNTS:**

The attached schedule has been reviewed, all audit material has been properly identified, and this schedule is approved as submitted.

SIGNATURE  
*Pat Reding*  
Pat Reding (Jun 23, 2023 09:36 CDT)

DATE  
Jun 23, 2023

**PART IV – APPROVAL OF STATE RECORDS ADMINISTRATOR:**

The attached schedule has been reviewed in accordance with Section 84-1212.01, R.R.S. 1943, and is approved as submitted.

SIGNATURE  
*Robert B. Evnen*  
Robert B. Evnen (Jun 23, 2023 10:05 CDT)

DATE  
June 23, 2023

RMA 01005D

## **INSTRUCTIONS FOR USING THIS SCHEDULE**

Records retention and disposition schedules are designed to serve as your records management guideline for storing and disposing of agency records, **regardless of the media on which they reside**, including paper, microfilm, diskettes, optical disks, CDs, DVDs, servers, computer hard drives, etc. This schedule was written specifically for records unique to your office and the State Agencies General Records Schedule #124 contains those records common to most state government agencies. This retention schedule, which is approved by the State Records Administrator, provides your only ongoing authority to dispose of records. Listed below are some basic procedures to follow when applying your schedule.

### **DISPOSING OF RECORDS**

1. Check your schedules to see what the retention period is. Note: Your agency's unique schedule will take precedence over State Agencies General Records Schedule #124 for any items which have differences in retention requirements.
2. Dispose of records that have met their retention periods. Unless there is pending or on going, legal action, records request, or audit.
3. For records requiring a review of, or transfer to the **NE State Historical Society (State Archives)**, your agency is required to contact the State Archives to negotiate the transfer. Additionally, **once the records are accessioned into their collection, they become the property of the State Archives** (Neb. Rev. Stat. §82-105). The State Archives may remove selected records in accordance with standard archival practices to ensure efficient access, organization and enduring historical value (Neb. Rev. Stat. §82-107). Please contact their office by calling (402) 471-4783.
4. Complete a Records Disposition Report for the records you dispose. The Records Disposition Report form is located on the Secretary of State Records Management website. [https://appengine.egov.com/apps/ne/sos\\_records\\_disposition\\_report](https://appengine.egov.com/apps/ne/sos_records_disposition_report). This report establishes that the destruction was performed in your normal course of business.

### **NON-SCHEDULED RECORDS**

Contact a Records Management Specialist in Records Management to see whether the records will fit under an item already on the schedule. If they do not, they must be retained until they are added to the next revision of your schedule.

### **SCHEDULE UPDATE**

It is the responsibility of each agency to periodically update their schedule. A Records Management Specialist in Records Management can assist you with the schedule update, which may involve adding new records series and making revisions to existing items. Keeping your schedule current will ensure you have the ongoing authority to discard records when their useful life has ended.

### **QUESTIONS**

If you have any questions about these procedures, please contact your agency Records Officer or the Records Management Specialist in Records Management. They will help you with any questions the schedule may present, including: transferring records to the State Records Center or microfilming records, scanning records, etc.

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3242 Salt Creek Circle  
Lincoln, NE 68504  
402-471-2559**

**SCHEDULE 72-4  
BANKING AND FINANCE  
MORTGAGE BANKERS  
June 23, 2023**

Retention requirements are for all records, regardless of the media on which they reside, unless otherwise noted.

**SUPERSEDES EDITION OF October 31, 2014**

<b>ITEM NUMBER</b>	<b>RECORD TITLE</b>	<b>DESCRIPTION/EXAMPLES</b>	<b>RETENTION</b>	<b>REFERENCE/COMMENTS</b>
72-4-1	<b>CORRESPONDENCE FILES</b>	Files include correspondence for the calendar year indicated not related to initial or renewal applications or investigations.	<b>Transfer to State Records Center (SRC) as needed; 10 years</b>	
72-4-2	<b>CUSTOMER COMPLAINTS</b>	Complaint forms, customer inquiries and correspondence concerning applicants, licensees, and others subject to the Residential Mortgage Licensing Act.	<b>Transfer to SRC as needed; 20 years</b>	
72-4-3	<b>EXAMINATION DATABASE</b>	Refer to Schedule 72-1-13	<b>Refer to Schedule 72-1-13</b>	
72-4-4	<b>EXAMINATION FILES</b>	Files contain Reports of Examination conducted as of the close of business during the calendar year indicated.	<b>Transfer to SRC as needed; 10 years after examination date</b>	
72-4-5	<b>EXAMINER WORK PAPERS</b>	Files contain original documentation and raw data gathered by field examiners during the process of examination. Such documentation includes individual loan analyses, daily statements, balance sheets and general ledger figures.	<b>Dispose of after completion of next examination, if no Department related investigation is unresolved</b>	
72-4-6	<b>HEARING FILES WITH TRANSCRIPTS</b>	Application hearing files may include Notice of Publication, Proof of Publication, protests to granting of application, hearing transcripts and exhibits. Disciplinary hearing files may also include orders to show cause, subpoenas, motions, witness information.	<b>Transfer to SRC as needed; 20 years, subject to review by the State Archives for possible accession. Return to Department prior to transfer to State Archives. Department to purge or redact confidential information.</b>	Contact the State Archives to negotiate transfer following Department review to purge or redact confidential information.
72-4-7	<b>MORTGAGE BANKER FILES</b>	Files include bonds and riders, Articles of Incorporation and any amendments, License Application, License Renewal Applications, Registration Application, Registration Renewal Applications, written consents of registered agents, receipts for fee, correspondence and any administrative orders.	<b>Transfer to SRC as needed; 10 years after license expires, or is surrendered, cancelled, or revoked, provided all litigation has been completed</b>	Applications and renewals are processed through the Nationwide Mortgage Licensing System & Registry ("NMLS") per Neb. Rev. Stat. § 45-748.

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
72-4-8	<b>MORTGAGE LOAN ORIGINATORS FILES</b>	Correspondence, application material, renewal application materials, administrative orders and tracking.	<b>Transfer to SRC as needed; 10 years after licensee is no longer licensed, provided all litigation has been completed</b>	Applications and renewals are processed through the Nationwide Mortgage Licensing System & Registry ("NMLS") per Neb. Rev. Stat. § 45-748.
72-4-9	<b>MORTGAGE BANKER AND MORTGAGE LOAN ORIGINATOR DATABASE</b>	Refer to Schedule 72-1-12	<b>Refer to Schedule 72-1-12</b>	
72-4-10	<b>MORTGAGE BANKER AND MORTGAGE LOAN ORIGINATOR INVESTIGATION FILES</b>	Files contain work papers, correspondence, evidentiary material, hearing transcripts, subpoenas and legal documents involved in the investigation into the methods or practices of an entity or individual subject to the Residential Mortgage Licensing Act.	<b>Transfer to SRC as needed after investigation and/or legal action completed; 20 years</b>	



