



**The Surety & Fidelity  
Association of America**

*Surety Bond Requirements for Mortgage Brokers and Mortgage Bankers  
As of August 4, 2010*

<b>State</b>	<b>Mortgage Broker Bond</b>	<b>Cancellation</b>	<b>Mortgage Banker Bond</b>	<b>Cancellation</b>	<b>Notes &amp; Citations</b>
<b>AK</b>	Amount determined by regulation.	Unspecified	Amount determined by regulation.	Unspecified	The Division of Banking and Securities will determine the amount required. AS § 06.60.045
<b>AL</b>	Amount determined by regulation.	Unspecified	Amount determined by regulation.	Unspecified	The State Banking Department will determine the amount required. AL ST §§ 5-25-5 and 5-19-22
<b>AR</b>	\$100,000-\$200,000, based on loan origination volume	Unspecified	\$100,000-\$200,000, based on loan origination volume	Unspecified	The amount required is based on the prior year's loan activity as the Securities Commissioner determines by regulation. AR ST § 23-39-505; AR ADC § 214.00.09
<b>AZ</b>	\$10,000; or \$15,000; or \$200,000 minimum if originators will be covered under the broker's bond	Unspecified	\$25,000; or \$25,000-\$100,000, based on loan volume and assets; or \$200,000 minimum if originators will be covered under the lender's bond	Unspecified	Base or lower amount applies if investors are institutional investors only. AZ ST § 6-903 and AZ ADC R20-4-912.  AZ ST § 6-991.03 requires mortgage loan originators to post a bond or pay into a recovery fund. Alternatively, originators can be covered under an employer's bond (a mortgage broker or lender) in which case the bond cannot be less than \$200,000. Lenders and brokers have discretion in posting a bond to cover originators.
<b>CA</b>	\$50,000-\$200,000 for mortgage servicers; \$25,000-\$200,000 for finance brokers. Amounts based on loan origination volume.	Unspecified	\$50,000-\$200,000 for mortgage lenders; \$25,000-\$200,000 for finance lenders. Amounts based on loan origination volume.	Unspecified	The Commissioner of Corporations may increase the residential lender or servicer bond up to \$100,000 for non-compliance. The Commissioner also may require a higher bond amount through rules for all licensees employing one or more mortgage loan originators, based on the dollar amount of residential mortgage loans originations. CA FIN § 22112 and § 50205 and Title 10 CCR §1437

<b>CO</b>	\$25,000 for individual loan originators; \$100,000 for corporate entities with 20 or fewer employees; \$200,000 for more than 20 employees	30 days notice	\$15,000 for initial license, then \$15,000-\$25,000, based on loan volume.	30 days notice	The Director of the Division of Real Estate will prescribe the broker's bond amount through regulations. Rule 9 requires lenders to post a bond based on loan volume for each location. The bond is capped at \$250,000. CO ST §§ 5-2-302 and 12-61-90; 4 CCR §§ 425-3 and 902-1
<b>CT</b>	Amount determined by regulation	30 days notice	Amount determined by regulation	30 days notice	The Banking Commissioner determines the amount required based on loan volume. CT ST § 36a-492
<b>DC</b>	\$12,500-\$50,000, based on loan origination volume	Unspecified	\$12,500-\$50,000, based on loan origination volume	Unspecified	The Commissioner of the Department of Insurance, Securities, and Banking will determine the amount required. DC Code § 26-1103
<b>DE</b>	\$25,000; or \$25,000-\$200,000 for originators, based on loan volume	30 days notice	\$50,000-\$200,000 based on loan volume	30 days notice	The bond must provide coverage for all originators that the lender or broker employs. DE ST Title 5 §§ 2108 and 2208; 5 DAC §§ 2101, 2201 and 2401
<b>FL</b>	N/A	N/A	N/A	Unspecified	§ 494.0061 (Repealed)
<b>GA</b>	\$50,000 for brokers; \$10,000 or \$15,000 for individual originators	Unspecified	\$150,000	Unspecified	The Department of Banking and Finance and Financial Institutions may increase the bond amount for brokers and lenders, based on loan volume. The regulations require a \$10,000 bond if the originator has less than \$10 million in loan originations and a \$15,000 bond if he or she has more than \$10 million in loan originations. GA ST § 7-1-1003.2 ; GA ADC 80-11-4-.03 and 80-1-5-.01
<b>HI</b>	N/A	N/A	N/A	N/A	HI ST § 454-3 (Repealed); A 2009 law required a bond in an amount determine by rules, but the rules never were promulgated and the law was repealed in 2010. Hawaii now has a recovery fund instead.
<b>IA</b>	\$25,000-\$150,000, based on loan volume	30 days notice	\$25,000-\$150,000, based on loan volume	30 days notice	The Superintendent of Banking determines the amount required based on loan origination volume. IA ST § 535B.9 and IAC 187-Ch. 19.1 to19.15
<b>ID</b>	N/A	N/A	N/A	N/A	§ 26-3110 (Repealed). The State has a mortgage recovery fund instead.

<b>IL</b>	\$100,000 fidelity bond and a minimum \$20,000 surety bond; \$25,000-\$150,000 surety bond, based on loan origination volume*	30 days notice	\$100,000 fidelity bond and a minimum \$20,000 surety bond; \$25,000-\$150,000 surety bond, based on loan origination volume*	30 days notice	The fidelity bond is required to provide coverage for all persons handling the licensee's funds. The surety bond is required to secure the licensee's compliance with the law and the payment of any expenses, fines, or fees the Commissioner of Banks and Real Estate levies. IL ST CH 205 § 635/3-1 38 IL ADC 1050.490  * Pending regulations would require a surety bond ranging from \$25,000 to \$150,000 to implement the new law, which requires a bond in amount based on loan volume that covers all of the licensee's originators. The rules would maintain the existing \$20,000 minimum for the new surety bond requirements. IL ST CH 205 § 635/7-12.
<b>IN</b>	\$50,000-\$75,000, based on loan volume.	Unspecified	N/A	N/A	The broker's bond must provide coverage for all loan originators. IN ST 23-2-5-5 and 750 IAC 9
<b>KY</b>	\$50,000 minimum	30 days notice	\$250,000 minimum	30 days notice	The Executive Director of the Office of Financial Institutions will determine the amount required through rules. KY ST § 286.8-060
<b>KS</b>	\$50,000 or \$75,000, if loan origination volume is over \$50 million; or \$100,000 or \$125,000, if loan origination volume is over \$50 million	30 days notice	\$50,000 or \$75,000, if loan origination volume is over \$50 million; or \$100,000 or \$125,000, if loan origination volume is over \$50 million	30 days notice	The amount is based both on loan volume and whether the licensee has a bona fide office in the State. The larger bond amounts are required of licensees without a bona fide office in the State. The law permits the State Bank Commissioner to determine the amount through rules. KS ST 9-2211; KAR §§ 17-24 -6 and 75-6-31
<b>LA</b>	\$25,000-\$50,000, based on loan volume	Unspecified	\$25,000-\$50,000, based on loan volume	Unspecified	Mortgage loan originators must be bonded or covered under a lender's or broker's bond. LA R.S. 6:1088
<b>MA</b>	\$75,000 for mortgage brokers; \$100,000-\$500,000 for exempt entities employing originators	N/A	\$100,000-\$500,000, based on loan volume; \$100,000-\$500,000 for exempt entities employing originators	30 days notice	The Commissioner of Banks determines the amount required. Mortgage loan originators must be bonded or covered under an employer's bond in an amount determined through regulations. Individual mortgage originators must post a \$25,000 bond. MA ST Ch. 255F §12; 209 CMR 41.00 and 42.00; Regulatory Bulletin 5.2-101

<b>MD</b>	Loan originators must be bonded or be covered by an employer's bond if the entity is a lender licensed under the mortgage laws in the State.	Unspecified	\$50,000-\$150,000 based on loan volume; or a \$750,000 blanket bond for all locations	Unspecified	A separate bond is required for each lender license, but a blanket bond may be posted upon approval from the Commissioner of Financial Regulation. MD FIN INST §11-508
<b>ME</b>	\$25,000	Unspecified	\$50,000	Unspecified	Mortgage loan originators must be bonded or covered under an employer's bond. The Banking Administrator will determine the amount through regulations. ME ST Title 9-A §§10-202 and 13-113
<b>MI</b>	\$25,000; \$10,000-\$50,000 for mortgage originators, base on loan volume	Unspecified	\$25,000 for lenders; \$125,000 for servicers or lenders that service loans; \$10,000-\$50,000 for mortgage originators, base on loan volume	Unspecified	Mortgage loan originators must be covered by a bond either through their employer or by posting one. MI ST §§ 493.56, 493159, 445.1654
<b>MN</b>	\$50,000	Unspecified	\$100,000	Unspecified	Mortgage loan originators must be covered by a surety bond in an amount based on loan origination volume. The Commissioner of Commerce will determine the amount required. MN ST §§ 58.04, 58.08 and 58A.13
<b>MO</b>	\$50,000-\$250,000, based on loan origination volume for brokers	Unspecified	\$50,000-\$500,000, based on loan origination volume for lenders and servicers	Unspecified	The bond must cover all loan originators that the broker or lender employs in an amount based on loan origination volume. The law permits the bond amount to be up to \$1 million, but the regulations choose not to require such a large bond amount. MO ST 443.849 and 20 CSR 1140-30.310
<b>MS</b>	\$25,000 maximum	Unspecified	\$150,000 maximum	Unspecified	Loan originators must be bonded through an individual bond or through coverage under an employer's bond from a lender or broker. MS ST § 81-18-11
<b>MT</b>	\$25,000-\$100,000, based on loan volume	Unspecified	\$25,000-\$100,000, based on loan volume	Unspecified	MT ST §§ 32-9-123 and 32-10-303

<b>NC</b>	\$75,000-\$250,000, based on loan volume	Unspecified	\$150,000-\$500,000, based on loan volume	Unspecified	NC ST § 53-244.103 and 4 NC ADC 3M.0206
<b>ND</b>	\$25,000	Unspecified	\$25,000	Unspecified	Mortgage loan originators must be covered by a surety bond in an amount based on loan origination volume. The amount will be determined by rules. ND ST §§ 13-04.1 and 13-10-13
<b>NE</b>	\$100,000-\$200,000 based on loan volume	Unspecified	\$100,000-\$200,000 based on loan volume	Unspecified	The bond must provide coverage for all loan originators that the licensee employs. NE ST § 45-709
<b>NH</b>	\$50,000 minimum	20 days	\$100,000 minimum	20 days notice	The bond amount must reflect the dollar amount of loans originated and must cover all originators the broker or lender employs. NH ST § 397-A:5
<b>NJ</b>	\$100,000-\$300,000, based on loan volume	30 days	\$100,000-\$300,000, based on loan volume	30 days	The law requires a surety bond based on loan volume that covers all mortgage originators. The regulations provide a single bond amount schedule for brokers and lenders. NJ ST 17:11C-63 and NJ ADC 3:15-3.1
<b>NM</b>	\$50,000 - \$150,000 based on loan origination volume	Unspecified	\$50,000 - \$150,000 based on loan origination volume	Unspecified	NM ST § 58-21-7
<b>NV</b>	\$50,000 plus \$25,000/branch; or \$50,000 if under \$20 million in loan volume, \$75,000 if over \$20 million in loan volume*	60 days notice	\$50,000 if under \$20 million in loan volume, \$75,000 if over \$20 million in loan volume	N/A	The law requires mortgage brokers to post a \$50,000 surety bond for their principal office, plus \$25,000 per branch office. The law caps the bond amount at \$75,000. Mortgage originators must post a bond, maintain a net worth or pay into a recovery fund as determined by rules. NRS §§ 645B.042 and 645F.275  *Pending regulations provide that if the amount of coverage required by rule was less than the broker's bond required per branch, then an additional bond in an amount equal to the difference must be posted.

<b>NY</b>	\$10,000-\$100,000 based on loan application volume; \$10,000-\$150,000 for mortgage originators, based on loan origination volume	Unspecified	\$50,000-\$500,000 based on volume of New York closed loans; \$10,000-\$150,000 for mortgage originators, based on loan origination volume	Unspecified	Mortgage loan servicers must post a minimum \$250,000 surety bond and minimum \$300,000 fidelity bond based on loan servicing volume. Mortgage loan originators must post a bond covering all employed mortgage loan originators pursuant to the new law and regulations. NY BANK §§ 591, 591-a, and 599-k; and 3 NY ADC §§ 410.8, 410.14, 418 and 420
<b>OH</b>	5% of loan origination volume, capped at \$150,000	30 days notice	.5% of loan origination volume, capped at \$150,000	30 days notice	The minimum bond amount for brokers and lenders is \$50,000 plus \$10,000/branch. Further, loan originators not employed by a broker or lender must post a bond for .5% of loan origination volume, capped at \$100,000. OH ST § 1322.05 and OH ADC § 1301:8-7-14
<b>OK</b>	N/A		\$5,000, plus \$1,000/branch	Unspecified	OK ST T. 14A § 3-503 and OK ADC § 160:65-5-1
<b>OR</b>	\$50,000-\$200,000, based on loan origination volume	Unspecified	\$50,000-\$200,000, based on loan origination volume	Unspecified	Mortgage originators must be covered by a surety bond in an amount based on loan volume. The amount is determined by rules. ORS §§ 86A.106 and 86A.227; OAR 441-730-0026
<b>PA</b>	\$50,000-\$150,000, based on loan origination volume; \$25,000-\$300,000 for mortgage loan originators not employed by a state-licensed entity.	30 days notice	\$100,000 -\$500,000 based on loan origination volume	30 days notice	7 Pa.C.S.A § 6131
<b>RI</b>	\$25,000, plus \$5,000/branch	30 days notice	\$50,000, plus \$5,000/branch	30 days notice	Loan originators must post a bond or be covered under a lender or broker's bond. The bond must be in an amount based on loan origination volume that the Director of the Department of Business Regulation will determine through rules. RI ST §§ 19-14-6 and 19-14.10-14
<b>SC</b>	\$25,000-\$55,000, based on loan volume	Unspecified	\$50,000-\$150,000, based on loan volume	Unspecified	SC ST §§ 37-22-140 and 40-58-40

<b>SD</b>	\$25,000 minimum that is based on loan origination volume	30 days notice	\$25,000 minimum that is based on loan origination volume	30 days notice	Mortgage originators are subject to this bond requirement. Broker and originators both may be covered under an employer's bond. SD ST § 54-14-24
<b>TN</b>	\$100,000-300,000 for industrial loan brokers; \$45,000-\$135,000 for residential mortgage brokers. Amounts based on loan origination volume*	Unspecified	\$100,000-300,000 for industrial and residential mortgage lenders, based on loan origination volume*	Unspecified	Banking Commissioner determines the bond amount through rules for mortgage brokers and lenders upon the renewal of their registration in 2010. Mortgage loan originators are subject to the bond requirement and must post a bond or be covered by a lender or broker's bond. TN ST § 45-5-202; TAC § 0180-32-.2 and §§ 0180-17.1 to 0180-17. 16*  * Regulations are pending adoption.
<b>TX</b>	Loan originators must post a bond in an amount to be determined by rule or pay into a recovery fund. \$1 million for registered finance companies acting as brokers	Unspecified in prior law	Loan originators must post a bond in an amount to be determined by rule or pay into a recovery fund.	N/A	Mortgage originators that are employed by a banker must post a bond or pay into a recovery fund as well. TX FIN § 157.012.  Registered finance companies acting as mortgage brokers through its agents must post a \$1 million bond to cover all mortgage brokers that are its exclusive agents. 7 TAC § 7.80.L.80.301
<b>UT</b>	\$12,500-\$50,000 for individual originators; \$25,000-\$100,000 for business entities employing originators	Unspecified	N/A	N/A	The law requires mortgage loan originators to be covered by a surety bond that the employer must post. The Banking Commissioner determines the amount based on loan origination volume. §70D-3-205 and R343-5
<b>VA</b>	\$25,000-\$150,000, based on loan origination volume	Unspecified	\$25,000-\$150,000, based on loan origination volume	Unspecified	The Commissioner of the Bureau of Financial Institutions determines the bond amount based on loan origination volume. Loan originators must be covered by a lender or broker's bond. VA ST §§ 6.1-413 and 6.1-431.4; 10 VAC 5-161
<b>VT</b>	\$25,000-\$100,000 based on loan origination volume	60 days notice	\$50,000-\$150,000 based on loan origination volume	60 days notice	Loan originators must be covered by a bond, either through a lender or a broker, or by posting their own. VT ST Title 8 § 2203

<b>WA</b>	\$30,000-\$60,000, based on loan origination volume	30 days notice	\$30,000-\$150,000, based on loan origination volume	Unspecified	The Banking Commissioner determines the amount required for the broker's bond. WA ST §19.146.205; WAC §§ 208-660-005 and 208-660-175
<b>WI</b>	\$120,000	Unspecified	\$300,000	Unspecified	Mortgage loan originators must be covered by a bond, either through a lender or a broker, or by posting their own. The bond must be in an amount based on loan originations. WI ST §§ 224.72 and 224.725 and DFI Bkg 40-47
<b>WV</b>	\$50,000-\$150,000, based on loan origination volume.	Unspecified	\$100,000-\$250,000, based on loan origination volume for mortgage lenders; \$100,000-\$200,000 for consumer lenders	Unspecified	Lenders that service loans must post a \$200,000 bond. WV ST § 31-17-4
<b>WY</b>	\$25,000-\$100,000, based on loan origination volume	Unspecified	\$25,000-\$100,000, based on loan origination volume	Unspecified	WY ST § 40-23-110, WY ADC Chapters 1 to 5