Article 20.

Loan Brokers.

§ 66-106. Definitions.

(a) For purposes of this Article, the following definitions apply:

(1) Loan. – An agreement to advance money or property in return for the promise to make payments therefor, whether the agreement is styled as a loan, credit card, line of credit, lease, or otherwise.

(2) Loan broker. – Any person, firm, or corporation that, in return for any consideration from any person, promises to do any of the following:

a. Procure for the person, or assist the person in procuring, a loan from any third party.

b. Consider whether or not it will make a loan to the person. This sub-subdivision does not apply to a lender whose loans or advances to any person in North Carolina aggregate more than one million dollars ($1,000,000) in the preceding calendar year.

(b) This Article does not apply to any of the following:

(1) A party approved as a mortgagee by the Secretary of Housing and Urban Development, the Federal Housing Administration, the Veterans Administration, a National Mortgage Association, or any federal agency.

(2) A party currently designated and compensated by a North Carolina licensed insurance company as its agent to service loans it makes in this State.

(3) An insurance company registered with and licensed by the North Carolina Insurance Commissioner.

(4) With respect to a residential mortgage loan, a mortgage lender or mortgage broker licensed pursuant to Article 19B of Chapter 53 of the General Statutes or exempt from licensure pursuant to G.S. 53-244.040(d).

(5) An attorney-at-law, public accountant, or dealer registered under the North Carolina Securities Act, acting in the professional capacity for which the attorney-at-law, public accountant, or dealer is registered or licensed under the laws of North Carolina. (1979, c. 705, s. 1; 1981, c. 785, s. 1; 1993, c. 339, s. 2; 2001-393, s. 4; 2008-228, s. 17; 2021-93, s. 14.)