

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.)