

April 26, 2022

The Honorable Brian Kemp
Governor, State of Georgia
206 Washington Street
Suite 203, State Capitol
Atlanta, GA 30334

Re: Senate Bill 470

Dear Governor Kemp:

I write on behalf of the American Financial Services Association (“AFSA”)¹ to express our support of Senate Bill 470, amending Georgia law regarding mortgage licensure. Current law states that the Department of Banking and Finance may not issue or may revoke the license of a mortgage lender or mortgage broker that has an employee who is a convicted felon, even if the employee doesn’t live near Georgia, or have exposure to Georgia customers. This bill would amend the law to apply to any employee involved in mortgage-related activities in Georgia.

Some states prevent or discourage companies from making employment decisions based on an employee’s criminal history—particularly if the crime was not financial in nature or a crime of moral turpitude. We note that this is a growing trend, as several states now mandate the exclusion of criminal conviction history questions from job applications for private employers, or prohibit employers from making hiring or promotion decisions based on an individual’s criminal history.

Current law forces companies to choose to either forfeit their license in Georgia, or violate the letter or spirit of another state’s law. By limiting the prohibition to employees involved in mortgage activities in Georgia, SB 470 effectively eliminates conflicts with other states’ laws.

For these reasons we urge you to sign the SB 470 into law. If you would like to discuss this further, please do not hesitate to contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Danielle Fagre Arlowe", is written in a cursive style.

Danielle Fagre Arlowe
Senior Vice President

¹ Founded in 1916, the American Financial Services Association (AFSA), based in Washington, D.C., is the primary trade association for the consumer credit industry, protecting access to credit and consumer choice. AFSA members provide consumers with many kinds of credit, including direct and indirect vehicle financing, traditional installment loans, mortgages, payment cards, and retail sales finance. AFSA members do not provide payday or vehicle title loans.

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