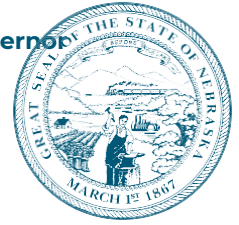


## **GUIDANCE DOCUMENT**

This guidance document is advisory in nature but is binding on an agency until amended by such agency. A guidance document does not include internal procedural documents that only affect the internal operations of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules and regulations made in accordance with the Administrative Procedure Act. If you believe that this guidance document imposes additional requirements or penalties on regulated parties, you may request a review of the document.



## Installment Loan and Installment Sales Licensee Guidance on Temporary Remote Work

Effective: January 1, 2021

To: Licensed Installment Loan Companies, Installment Loan Branches, Installment Sales Companies, and Installment Sales Branches  
From: Kelly Lammers, Director, Nebraska Department of Banking and Finance  
RE: Guidance on Temporary Remote Work

The Nebraska Department of Banking and Finance (“Department”) is issuing this Guidance on Temporary Remote Work to assist licensees in responding to continuing government COVID-19-related directed health measures. The Department, under Neb. Rev. Stat. § 45-1016 and Neb. Rev. Stat. § 45-352, is issuing this Guidance in order to effectuate the purposes of the Nebraska Installment Loan Act and the Nebraska Installment Sales Act (“the Acts”).

As a result of the ongoing COVID-19 pandemic, the Department has temporarily allowed the employees of various consumer finance licensees to conduct licensable activity remotely from unlicensed locations, as licensees and their employees may be subject to directed health measures. The Department is now extending that allowance to all Nebraska licensed Installment Loan licensees and Installment Sales licensees, as long as the location that the licensee’s employee(s) would normally work from is subject to any COVID-19-related State, County, or Municipal directed health measure, health order, executive order, or other similar government directive.

All licensees with employees who conduct licensable activity, including licensed MLOs working from a licensed Installment Loan Company, from remote locations under the conditions listed above, must submit a list of all such employees to the Department on, or before, March 1, June 1, September 1, and upon renewal request, in 2021. These lists can be uploaded into the NMLS under the “Documents Uploads – Company Staffing” section of an entity’s document uploads. These lists must include fields for employee name, NMLS # (where appropriate), and unlicensed, remote work location. Failure to submit this information constitutes a violation of the Acts and could subject a licensee to fines or penalties. The Department may request any additional information necessary, including a copy of the COVID-19-related government directive.

Licensee’s employees conducting licensable activity from a remote, unlicensed location must not keep any physical business records at any location other than the licensed main office or licensed branch location. The employees must be able to access their employer’s secure origination system using a virtual private network (VPN) that requires passwords or other forms of authentication to access. Additionally, such employees must not allow customers to come to the remote, unlicensed location.

All other provisions of the Acts shall remain in place. This includes all state and federal data security requirements. This Guidance is effective through December 31, 2021, but is subject to change or withdrawal by the Director at any time.

Contact Will Lawrence at [dob.consumerfinance@nebraska.gov](mailto:dob.consumerfinance@nebraska.gov) with any questions.

Approved and effective as of the above date.

Kelly Lammers  
Director, Nebraska Department of Banking and Finance