

the reasonable performance of the department's duties. In exercising this power, a fire chief may prohibit an individual, vehicle, or vessel from approaching a fire scene and may remove from the scene any object, vehicle, vessel, or individual that may impede or interfere with the operations of the fire department.

Sec. 3. NEW SECTION. 100B.3 AUTHORITY TO BARRICADE.

The fire chief or other authorized officer of the fire department in charge of a fire scene may place or erect ropes, guards, barricades, or other obstructions across a street, alley, right-of-way, or private property near the location of the fire or emergency so as to prevent accidents or interference with the fire fighting efforts of the fire department, to control the scene until any required investigation is complete, or to preserve evidence related to the fire or other emergency.

Sec. 4. NEW SECTION. 100B.4 TRAFFIC CONTROL.

Notwithstanding a contrary provision of this chapter, if a peace officer is on the scene, the peace officer is in charge of traffic control and a peace officer shall not be prohibited from performing the duties of a peace officer at the fire scene.

Sec. 5. NEW SECTION. 100B.5 PENALTY.

A person who disobeys an order of a fire chief, other officer of a fire department, or peace officer assisting the fire department which is issued pursuant to section 100B.2 or 100B.3, is guilty of a simple misdemeanor.

Approved May 5, 1989

CHAPTER 133

MORTGAGE BROKERS AND MORTGAGE BANKERS

H.F. 645

AN ACT relating to mortgage brokers and mortgage bankers.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 535B.1, subsection 1, paragraph c, Code 1989, is amended to read as follows:

c. Services at least four first mortgage loans on residential real property located in this state. However, a natural person who services less than fifteen first mortgage loans on residential real estate within the state and who does not sell or transfer first mortgage loans, is exempt from this paragraph if that person is otherwise exempt from the provisions of this chapter.

Sec. 2. Section 535B.1, subsection 4, Code 1989, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. "Natural person" means an individual who is not an association, joint venture, or joint stock company, partnership, limited partnership, business corporation, nonprofit corporation, other business entity, or any other group of individuals or business entities, however organized.

Sec. 3. Section 535B.1, Code 1989, is amended by adding the following new subsection:
NEW SUBSECTION. 8. "Registrant" means a person registered under section 535B.3.

Sec. 4. Section 535B.2, unnumbered paragraph 1, Code 1989, is amended to read as follows:
This chapter, except for sections 535B.3, 535B.11, 535B.12, and 535B.13, does not apply to any of the following:

Sec. 5. Section 535B.2, subsection 11, Code 1989, is amended to read as follows:

11. A bank, savings and loan association, credit union, or insurance company organized or chartered under the laws of any other state, provided the financial institution or insurance company has a place of business in Iowa or in a county of another state if that county is contiguous to an Iowa border.

Sec. 6. Section 535B.3, subsection 3, Code 1989, is amended to read as follows:

3. The registrant shall pay a fifty-dollar annual registration fee of one hundred dollars.

Sec. 7. Section 535B.4, subsection 7, Code 1989, is amended to read as follows:

7. Applications for renewals of licenses under this chapter must be filed with the administrator before June 1 of the year of expiration and must be accompanied by a fee of two hundred dollars for a license to transact business solely as a mortgage broker, and four hundred dollars for a license to transact business as a mortgage banker.

Sec. 8. Section 535B.9, Code 1989, is amended by striking the section and inserting in lieu thereof the following:

535B.9 BONDS REQUIRED OF LICENSE APPLICANTS.

1. An applicant for a license shall file with the administrator a bond furnished by a surety company authorized to do business in this state. The bond shall be in the amount of fifteen thousand dollars for an applicant seeking to transact business solely as a mortgage broker, or thirty thousand dollars for an applicant seeking to transact business as a mortgage banker. The bond shall be continuous in nature until canceled by the surety with not less than thirty days' notice in writing to the mortgage broker or mortgage banker and to the administrator indicating the surety's intention to cancel the bond on a specific date. The bond shall be for the use of the state and any persons who may have causes of action against the applicant. The bond shall be conditioned upon the applicant's faithfully conforming to and abiding by this chapter and any rules adopted under this chapter and shall require that the surety pay to the state and to any persons all moneys that become due or owing to the state and to the persons from the applicant by virtue of this chapter.

2. In lieu of filing a bond, the applicant may pledge an alternative form of collateral acceptable to the administrator, if the alternative collateral provides protection to the state and any aggrieved person that is equivalent to that provided by a bond.

Sec. 9. Section 535B.11, Code 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 7. When the servicing of a first mortgage loan is transferred, sold, purchased, or accepted by a licensee or registrant, the licensee or registrant who is transferring or selling the servicing shall issue to the mortgagor, within five business days of the transfer, a notice which shall include at a minimum:

- a. The name and address of the licensee or registrant transferring or selling the servicing.
- b. The name and address of the licensee or registrant accepting or purchasing the servicing.
- c. The effective date of the transfer.
- d. A statement concerning the effect of the transfer on the terms and conditions of the mortgage.
- e. The address where payments are to be submitted for at least the next three months.
- f. The name and address of the licensee or registrant to whom questions related to the mortgage may be addressed.

Sec. 10. **NEW SECTION. 535B.16 NOTICE TO ADMINISTRATOR.**

A licensee or registrant maintaining an office in the state shall notify the administrator in writing at least thirty days before closing or otherwise ceasing operations at any office in the state.

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