



**THE COLUMBUS MORTGAGE BANKERS
ASSOCIATION
BY-LAWS**

SECTION I - INITIATION FEES AND DUES

The initiation fee for membership in the Columbus Mortgage Bankers Association and annual dues shall be in such amount as established from time to time by the Board of Directors and ratified by the members of the Association.

SECTION II - DUTIES OF THE OFFICERS AND DIRECTORS

(a) Duties of the President

The President shall exercise supervision over the other officers and the business of the Association. The President shall call and preside at all regular and special meetings of the Board of Directors and the members, appoint all standing committees which shall function during the term of his/her office, enforce the observance of the rules, regulation and by-laws of the Association, and propose and recommend action which in his/her judgment is beneficial to the interests and welfare of the Association and it's members. In addition, he/she shall have such additional powers and duties as the Board of Directors may from time to time assign to him/her.

(b) Duties of the Vice President

In the absence of the President, or in the event of his/her inability or refusal to act, the Vice President shall perform the duties of the President, and when so acting, shall have all the powers of and be subject to all restrictions upon the President. The Vice President shall perform such other duties and have such powers as the Board of Directors may from time to time prescribe.

(c) Duties of the Secretary

It shall be the duty of the Secretary to keep a membership book containing the name and address of each member, the date of admission to membership and the class to which he/she belongs, to perform such other and further duties as may from time to time be assigned to him/her by the Board of Directors or the President, and to deliver all books, paper and property of the Association in his/her possession to his/her successor, or to the President. In the absence of the President and Vice President, the Secretary shall perform the duties of the President.

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(d) **Duties of the Treasurer**

The Treasurer shall receive and safely keep in charge all money and other property belonging to the Association, and shall do with or disburse the same as directed by the President or the Board of Directors, shall sign, singularly or with another officer, all checks drawn on bank accounts of the Association, shall keep an accurate account of the finances and business of the Association, including accounts of its assets, liabilities, receipts, disbursements, together with such other accounts as may be required and hold the same open for inspection and examinations by the Board of Directors; shall, upon the expiration of his/her term of his/her office, deliver all money and other property of the Association in his/her possession or custody to his successor or the President; and shall perform such other duties as from time to time may be assigned to him/her by the Board of Directors.

(e) **Duties of the Executive Secretary**

The Executive Secretary shall have such authority and perform such duties as the President and the Board of Directors may, from time to time prescribe, including but not limited to the duties of the Secretary and the Treasurer.

(f) **Duties of the Board of Directors**

Except as otherwise provided by law, the Constitution or By-Laws, all authority of the Association shall be vested in and exercised by the Board of Directors.

SECTION III - LIMITATION OF AUTHORITY

Except as specifically directed by the Board of Directors, no member shall have the authority to act on behalf of the Association or represent the Association.

SECTION IV - COMMITTEES

All the committees of members of the Association shall be appointed by the President and approved by the Board of Directors. The standing committees, deemed necessary and appropriate by the President and Board of Directors, shall be appointed within sixty (60) days after the annual meeting.

SECTION V - AMENDMENTS

The By-Laws may be amended at any regular or special meeting of the Board of Directors, provided notice of such proposed amendment shall have been furnished to the Members either in writing or at a regular meeting of the Association.

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SECTION VI - CANON OF ETHICS OF THE COLUMBUS MORTGAGE BANKERS ASSOCIATION

- (a) Members shall conduct their business in a professional manner, ensuring that their personnel are knowledgeable in the areas of mortgage banking in which they participate and are acting in compliance with sound industry practices.
- (b) Members shall act in a manner that recognizes that integrity and confidence are essential in the mortgage banking business.
- (c) Members shall not breach or avoid an agreement or commitment; and members shall accord oral agreements with the same sanctity given to written agreements.
- (d) Members shall conduct their business without regard to the race, color, sex, religion, marital status, national origin, or age of the persons with whom they deal.
- (e) Members shall consider a servicing contract to be an integral part of the mortgage banking correspondent system and such a contract shall be terminated only with sufficient reason with the good faith nature of such a contract being recognized by both parties.
- (f) Members shall not quote to a prospective borrower interest rates or other loan terms which are not likely to be obtained.
- (g) Members shall make all reasonable efforts to process loan applications and advise applicants of approval or disapproval promptly and to close and disburse in a timely manner.
- (h) Members shall use all effort available in servicing investments entrusted to their care to effectively discharge their obligation to both investor and debtor.
- (i) Members shall maintain and deposit in special accounts separate and apart from personal and other business accounts, all money received as trust or escrow funds; and shall use these funds solely for the purpose for which they were received.
- (j) Members shall cooperate with the Ethics and Standards of Practice Committee in furnishing information relative to any investigation of a possible violation of the Canon of Ethics and Standards of Practice.
- (k) Members shall refrain from making untrue or derogatory statements or remarks about another member.
- (l) Members shall advertise financing terms which represent the term generally available through their efforts. The departure of advertising copy from a clear, simple, and truthful statement of fact is contrary to sound business practice and is unethical.



- (m) Members must not act in a dual capacity by adding their endorsement to a loan on property in which they have undisclosed interest.
- (n) Members shall hold inviolate information given them in confidence by their client. This canon shall not be construed to prevent the use of the furnished data in the reasonable pursuit of the purposes for which such information was transmitted.
- (o) Members shall use all efforts at their command to effect the proper servicing of the accounts entrusted to their care. This duty shall be performed with an awareness that a conscientious discharge of the obligation to both principal and debtor will result in increased respect of the community for the mortgage banking industry.

Violations of, and complaints concerning, the Code of Ethics shall be filed with the Ethics and Standards of Practice Committee as provided in Section IV of the By-Laws.