



## **Professional Code Recognised Mortgage Consultants**

This professional code is applicable to all Recognised Mortgage Consultants registered as such in the register of Recognised Mortgage Consultants, maintained by the Foundation for Recognised Mortgage Consultants, Amsterdam, the Netherlands.

### **Clarification of Concepts**

Article 1 This Professional Code uses the following terms to mean:

*Board* the board of the Foundation for Recognised Mortgage Consultants

*Foundation* The Foundation for Recognised Mortgage Consultants

*Recognised Mortgage Consultant\**

A natural individual registered in the Register for Recognised Mortgage Consultants by the Foundation for Recognised Mortgage Consultants who, among others, offers advice on Mortgage Financing

*Consumer*

A natural individual acting in a capacity other than professional or on behalf of a company

*Complain Institute*

The institute tasked with the settlement of disputes by the financial sector

*Financial Services*

The committee tasked with the disciplinary enforcement of the Professional code by the Foundation

*Disciplinary Committee*

*for the Professional Code for Recognised Mortgage Consultants*

*Mortgage Financier Mortgage Financing*

A provider of finances who offers Mortgage Financing used to ensure the repayment of a sum partially subject to the right of mortgage or desired by a registered property in the Netherlands, which is awarded or is to be awarded to a consumer who has been provided with the financing, to be sustainably used or for personal habitation.

### **Rights and Obligations of Recognised Mortgage Consultants**

Article 2

A Recognised Mortgage Consultant is only authorised to present himself as such if he has been registered in the register for Recognised Mortgage Consultants, maintained by the Foundation. A Recognised Mortgage Consultant is expected to provide their services with regards to Mortgage Financing in his capacity as Recognised Mortgage Consultant at all times.

Article 3

A Recognised Mortgage Consultant offers his advice on Mortgage Financing in all loyalty and conscience and is duly careful in providing this service. He provides clarity about the financial, fiscal, and legal consequences of his counsel at all times.

Article 4

The Recognised Mortgage Consultant must be and remain competent in the field for the services he provides. He participates in permanent education on subjects provided and established by the Foundation or the Minister of Finance. Failure to participate in this permanent education will result in expulsion from the register. This provision is further controlled by the regulations of the permanent education.

Article 5

Information provided by and information on a Consumer to a Recognised Mortgage Consultant with the goal of obtaining Mortgage Financing will be kept confidential by the Recognised

Mortgage Consultant. This confidentiality does not apply to information by or information on a Consumer in the case of a dispute between the Recognised Mortgage Consultant and the aforementioned Consumer that is under review by a judicial authority, Kifid, or the Disciplinary Committee for the Professional Code for Recognised Mortgage Consultants.

- Article 6 A Recognised Mortgage Consultants refrains from offering incomplete, misleading, or incorrect statements as part of his service, both towards Consumers, Mortgage Financiers, or other parties involved in the financing.
- Article 7 The basis for the advice offered by a Recognised Mortgage Consultant is the Consumer's interests. A Recognised Mortgage Consultant providing his services in service of or operating on behalf of another party will also take the justified interests of that other party into account.  
As part of his advice, he takes into account both the interests of the Consumer as well as the credit risk to be borne by the Mortgage Financier, and exercises due care in obtaining information regarding the Consumer and providing this information to the Mortgage Financier.
- Article 8 A Recognised Mortgage Consultant offers his advice in conformity with applicable legislation, regulation, and requirements by government agencies and any other behavioural or professional rules that apply to Registered Mortgage Consultants. In particular, he will uphold the Behavioural Code for Mortgage Financing when offering his advice.
- Article 9 A Recognised Mortgage Consultant refrains from submitting advice, behaviour, or statements that could be harmful to Consumers, the image of the financial sector in general, and that of the professional group of Recognised Mortgage Consultants in particular.
- Article 10 A Recognised Mortgage Consultants behaves towards his employer as befitting a good employee.
- Article 11 The Recognised Mortgage Consultant makes every effort to prevent fraud when requesting Mortgage Financing.

### ***Complaints Procedure***

- Article 12 A Consumer who is of the opinion that their interests have been harmed by the negligence or actions of a Recognised Mortgage Consultant operating in conflict with the Professional code can submit this negligence or action for review by Kifid.
- Article 13 The Recognised Mortgage Consultants declares he is willing to submit to dispute settlement by Kifid with regards to upholding this Professional Code.
- Article 14 The Recognised Mortgage Consultant declares that, with regards to upholding this Professional Code, he is willing to abide by any rulings of the Disciplinary Committee for the Professional Code for Recognised Mortgage Consultants.

**Final Provision**

Article 15

The Professional Code for Mortgage Consultants may be established and updated by the Board of the Foundation as dictated by Foundation statutes.

Established by the Board of the Foundation for Recognised Mortgage Consultants,  
dated 17 February 2011.

\*) This document uses male pronouns. Naturally, the professional code applies similarly to Recognised Mortgage Consultants of any gender.