



New Application Checklist

Jurisdiction-Specific Requirements



ARIZONA COMMERCIAL MORTGAGE BANKER BRANCH NEW LICENSE CHECKLIST

Instructions:

1. **YOU MUST PROVIDE YOUR NMLS UNIQUE ID #, ENTITY NAME AS SHOWN ON YOUR COMMERCIAL MORTGAGE BANKER LICENSE and YOUR ARIZONA COMMERCIAL MORTGAGE BANKER LICENSE NUMBER. NOTE: If you are submitting this new branch application along with a new Commercial Mortgage Banker license application, then please place “New” when it asks for your Commercial Mortgage Banker license number.**
2. Each branch, located in or outside of Arizona, desiring to conduct Commercial Mortgage Banker business in Arizona must be licensed. You will need to complete Form MU3 through NMLS for each branch location you wish to license. You must also designate a branch manager for each branch location (a person may be designated the branch manager for more than one location).
3. Entities who wish to transact business in Arizona under multiple trade names must apply for and obtain a separate Commercial Mortgage Banker’s license for each trade name used.
4. **APPLICATION FEE:** There is a non-refundable application fee of \$500.00 which must be sent with this checklist. The processing/review of your branch license application can not begin until AzDFI has received your branch license application and the non-refundable application fee. The NMLS non-refundable processing fee is \$20.00 and is collected thru NMLS.
5. AzDFI licensing Department will process/review your branch license application and then notify you of any deficiencies through NMLS. To review your status in NMLS, click the Tasks tab and click Work List.
6. Jurisdiction-specific requirements, as identified on the checklist below, must be submitted to AzDFI along with the applicable fee within 5 business days of the electronic submission of your branch license request through the NMLS. Please send all documents and fees to:

For U.S. Postal Service and Overnight Deliver:

*Arizona Department of Financial Institutions
Licensing Division
2910 N. 44th Street, Suite 310
Phoenix, AZ 85018*

WHO TO CONTACT – For questions regarding Arizona requirements and/or guidelines, contact the licensing Division of the Arizona Department of Financial Institutions (“AzDFI”) by phone at (602) 771-2800 or send your questions via e-mail to licensing@azdfi.gov. For questions on how to navigate through the NMLS or how to check your license status on NMLS or how to find deficiencies on your Amendment request on NMLS, you will need to contact the NMLS Call Center at (240) 386-4444.

THE APPLICANT/LICENSEE IS FULLY RESPONSIBLE FOR ALL OF ARIZONA STATE REQUIREMENTS OF THE LICENSE FOR WHICH THEY ARE APPLYING/AMENDING. THE JURISDICTION SPECIFIC REQUIREMENTS CONTAINED HEREIN ARE FOR GUIDANCE ONLY TO FACILITATE YOUR APPLICATION/AMENDMENT THROUGH NMLS. AzDFI HAS A LINK TO THE ARIZONA STATUTES AND RULES ON ITS WEBSITE AT www.azdfi.gov. SHOULD YOU HAVE QUESTIONS, PLEASE CONSULT LEGAL COUNSEL.

NEW BRANCH LICENSE APPLICATION CHECKLIST

NMLS Entity ID #: _____ AZ Main License #: _____

Entity Legal Name: _____

AZ License Name (including any DBA): _____

ATTACHED	NOT APPLICABLE	ITEM
		<p><u>IMPORTANT:</u> You should review the statutes (Arizona Revised Statutes Title 6, Chapter 9, Article 3) and rules (Arizona Administrative Code Title 20, Chapter 4) for Commercial Mortgage Bankers. The statutes and rules provide definitions, licensing requirements and licensing exemptions. We have a link to the statutes and rules on our website at www.azdfi.gov. You may also click on the word statute or rules to link you directly to them.</p>
<input type="checkbox"/>		<p><u>FEES:</u></p> <p>The applicant will need to include a check payable to AzDFI for the non-refundable branch application fee of \$500.</p> <p>Once your application has been approved, you will be invoiced for the pro-rated licensing fee. The branch license will not be issued until AzDFI has received the pro-rated branch license fee. NMLS assesses a processing fee of \$20.00 for each branch record for each state, which is collected thru NMLS and is assessed annually.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p><u>COPY OF LEASE AGREEMENT:</u> <input type="checkbox"/> Leased/Rented <input type="checkbox"/> Owned</p> <p>If the branch office is leased/rented then please provide a copy of the lease agreement. If the branch office is subleased, then also provide a copy of the original lease/rental agreement along with sublease agreement.</p>
		<p><u>IMPORTANT INFORMATION REGARDING NET BRANCHING AND BRANCH REQUIREMENTS</u></p> <p>A.R.S. §§ 6-903 AND 6-944 AND 6-978 STATE, IN PERTINENT PART, THAT A MORTGAGE BROKER LICENSE AND A MORTGAGE BANKER LICENSE AND A COMMERCIAL MORTGAGE BANKER LICENSE ARE “NOT TRANSFERABLE OR ASSIGNABLE” WITHOUT THE PRIOR WRITTEN CONSENT OF THE SUPERINTENDENT. ENGAGING IN ANY OF THE ACTIVITIES LISTED BELOW, COMMONLY REFERRED TO AS “NET BRANCHING,” CAN RESULT IN THE DEPARTMENT TAKING REGULATORY ENFORCEMENT ACTION UP TO AND INCLUDING LICENSE REVOCATION AND THE IMPOSITION OF A CIVIL MONEY PENALTY OF NOT MORE THAN FIVE THOUSAND DOLLARS (\$5,000.00) FOR EACH VIOLATION FOR EACH DAY. THIS IS NOT AN EXHAUSTIVE LIST.</p> <p>DON'T TRANSFER OR ASSIGN YOUR LICENSE TO “BRANCH MANAGERS” OR “OWNERS.”</p> <p>DON'T REQUIRE BRANCH MANAGERS TO PAY FOR BRANCH START UP COSTS, INCLUDING, BUT NOT LIMITED TO, THE COST OF BRANCH OFFICE LICENSES, BANK ACCOUNT DEPOSITS, BACKGROUND CHECKS, ACCOUNTING FEES, HUD LICENSE FEES, SECURITY DEPOSITS, TRAINING, PAYROLL FEES, AND LOAN SOFTWARE FEES.</p> <p>DON'T REQUIRE BRANCH MANAGERS TO SIGN AGREEMENTS TO PAY MONTHLY FEES FOR USING YOUR LICENSE.</p> <p>DON'T FAIL TO ASSUME RESPONSIBILITY AND LIABILITY FOR BRANCH OFFICE LEASES THAT ARE RIGHTFULLY YOUR RESPONSIBILITY. YOU OR YOUR DESIGNATED OFFICERS</p>

	<p>SHOULD SIGN RENT AND EQUIPMENT LEASES, NOT BRANCH MANAGERS.</p> <p>DON'T FAIL TO ASSUME THE RESPONSIBILITY AND LIABILITY FOR BRANCH OFFICE EQUIPMENT LEASES THAT ARE RIGHTFULLY YOUR RESPONSIBILITY. BRANCH MANAGERS SHOULD NOT SIGN THESE LEASES.</p> <p>DON'T FAIL TO ASSUME THE RESPONSIBILITY AND LIABILITY FOR UTILITIES, OFFICE SUPPLIES AND EQUIPMENT, APPRAISALS, ALARM EQUIPMENT, AND ANY OTHER BILLS INCURRED BY BRANCHES. BILLS, UTILITIES, AND INVOICES SHOULD BE IN LICENSEE'S NAME.</p> <p>DON'T INFORM THE BETTER BUSINESS BUREAU THAT YOUR BRANCHES ARE INDEPENDENT.</p> <p>DON'T FAIL TO ACCOUNT FOR ALL BRANCH INCOME AND EXPENSES ON TAX RETURNS AND ON FINANCIAL STATEMENTS.</p> <p>DON'T FAIL TO MAINTAIN PHYSICAL ACCESS TO YOUR BRANCHES AT ALL TIMES.</p> <p>DON'T FAIL TO MAINTAIN CONTROL OVER THE PAYMENT OF YOUR BRANCH EXPENSES.</p> <p>DON'T FAIL TO MAINTAIN A UNIFORM SETTLEMENT SERVICE FEE STRUCTURE AMONG ALL OF YOUR BRANCH OFFICES. BORROWERS SHOULD BE ABLE TO PAY THE SAME FEES AT ANY OFFICE. YOU SHOULD NOT ALLOW BRANCH MANAGERS TO SET THEIR OWN FEE STRUCTURE.</p> <p>DON'T PAY W-2 INCOME TO COMPANIES OWNED BY BRANCH MANAGERS IN AN ATTEMPT TO EVADE TAXES.</p> <p>DON'T FAIL TO EMPLOY PRACTICES AND PROCEDURES CONSISTENT WITH ALL HUD GUIDELINES.</p> <p>DON'T FAIL TO MAINTAIN CONTROL OVER BRANCH BANK ACCOUNTS OR ALLOW BRANCH MANAGERS TO WRITE PAYROLL CHECKS AND REIMBURSE THEMSELVES FOR EXPENSES.</p> <p>FOR MORE INFORMATION, PLEASE ACCESS WWW.HUDCLIPS.ORG AND CLICK ON "ACCESS HUD LETTERS AND NOTICES FROM PAST YEARS" TO READ, AMONG OTHER THINGS, MORTGAGEE LETTER 00-15, WHICH ADDRESSES "PROHIBITED BRANCH ARRANGEMENTS."</p>
<p>INDIVIDUAL TO CONTACT REGARDING THIS AMENDMENT REQUEST</p>	<p>Name: _____ Title: _____</p> <p>Phone number & extension: _____</p> <p>Email: _____</p>
<p>AUTHORIZED SIGNOR</p>	<p>_____ _____ Signature _____ Print Name & Title _____</p>