



Description



MASSACHUSETTS THIRD PARTY LOAN SERVICER REGISTRATION

Who is required to have this registration?

Any company or person who uses an instrumentality of interstate commerce or the mails in any business the principal purpose of which is servicing a loan directly or indirectly, owed or due or asserted to be owed or due another.

Servicing is described as receiving a scheduled periodic payment from a borrower pursuant to the terms of a loan, including amounts for escrow accounts, and making the payments to the owner of the loan or other third party of principal and interest and other payments with respect to the amounts received from the borrower as may be required pursuant to the terms of the servicing loan document or servicing contract. In the case of a home equity conversion mortgage or reverse mortgage as referenced in this section, servicing includes making payments to the borrower.

Who does not need this registration?

- Any company or person licensed as a debt collector in Massachusetts shall not be required to register as a third party loan servicer. Please see [Massachusetts General Law chapter 93, sections 24 to 28](#) and the Division of Banks' regulation [209 CMR. 18.00](#) for more information on the distinctions between the debt collector license and the third party loan servicer registration. For information on how to apply for a debt collector license in Massachusetts, contact the Division of Banks directly. Please be advised that any company or person who collects or attempts to collect a debt owed or due or asserted to be owed or due another to the extent the activity concerns a debt which is in default at the time it was obtained by the company or person must be licensed as a debt collector in Massachusetts. Additionally, any company or person who purchases and collects a debt that was purchased while in default is also required to be licensed as a debt collector.
- Any company or person licensed in Massachusetts as a mortgage lender, small loan company, motor vehicle finance company, retail installment finance company, or insurance premium finance company who services only loans that it owns. However, please be advised that any licensed mortgage lender, small loan company, motor vehicle finance company, retail installment finance company, or insurance premium finance company in Massachusetts who services third party loans must also be registered as a third party loan servicer.

What are the pre-requisites for registration applications?

None.

WHO TO CONTACT – Contact Division of Banks licensing staff by phone at 617-956-1500 ext. 554 or send your questions via e-mail to nmls@state.ma.us for additional assistance.

YOU ARE NOT AUTHORIZED TO ENGAGE IN THIRD PARTY LOAN SERVICING ACTIVITIES IN THE COMMONWEALTH OF MASSACHUSETTS UNTIL YOU ARE PROPERLY REGISTERED IN MASSACHUSETTS.