



Amendments

Jurisdiction-Specific Requirements



NEW HAMPSHIRE MORTGAGE SERVICERS REGISTRATION

Instructions

Registrants are under a continuing obligation to update information on file with the Department. If any information becomes materially inaccurate, the registrant must promptly file an amendment through the NMLS. An amendment shall be considered to be filed promptly if the amendment is filed within 30 days of the event that requires the filing of the amendment. Certain significant events as defined by rule shall be reported to the department within 10 calendar days.

1. New Hampshire does not charge fees for amendments.
2. Changes in principal office location or proposed closing of any registered office must be filed no later than 10 business days prior to the effective date of such change of location or closing unless such change of location or closing occurs under circumstances beyond the control of the registrant, whereby such written notice shall be provided within 10 business days from the date the registrant becomes aware of the closing or relocation.
3. All other changes to Form MU1 including the addition or deletion of control persons or principals must be filed no later than 30 days after the event that requires the filing of the amendment.
4. Most information may be amended electronically by updating the MU forms. However, the amendments outlined below require items to be sent outside of the NMLS directly to the NH Banking Department.

For U.S. Postal Service/Overnight Delivery

*New Hampshire Banking Department
53 Regional Drive
Concord NH 03301*

NMLS Unique ID Number: _____

Licensee Legal Name: _____

Tax Identification Number: _____

ATTACHED	NOT APPLICABLE	ITEM
<input type="checkbox"/>	<input type="checkbox"/>	LEGAL NAME CHANGE. Return New Hampshire registration for amendment. Submit amended documents from the home state to include amendments to articles of incorporation or articles of organization, operating and management agreements, partnership agreement, amended certificate of authority, as well as an amended certificate showing registration with the New Hampshire Secretary of State (if a foreign company), (Telephone Number: 603-271-3244 or 603-271-3246) or website at www.nh.gov/sos/corporate). Submit a <i>Uniform Consent to Service of Process</i> (form U2) in the new name.
<input type="checkbox"/>	<input type="checkbox"/>	TRADE NAME CHANGE. Return New Hampshire registration for amendment. Submit a new Certificate of Trade Name from the New Hampshire Secretary of State.
<input type="checkbox"/>	<input type="checkbox"/>	CHANGE OF ORGANIZATION. If the form of organization of a registrant is changing (e.g. a sole proprietorship to a corporation), a new entity is being created and it will be necessary to file a complete new registration application with fees. Concurrent with the approval of the new registration, the former will have to be surrendered following the protocol outlined in the New Hampshire jurisdiction-specific requirements on the <i>NH License Surrender/Expiration Form</i> . New Hampshire does not have a conversion statute, and considers a conversion to be the creation of a new legal entity. If a registrant is converting from a corporation to a limited liability company and retaining its same EIN under its home state conversion statute and is not required to file a new application, any legal arguments objecting to the New Hampshire requirement must be set forth in a “no-action” letter to the attorney in the Consumer Credit Division. Each instance will be reviewed on a case-by-case basis.
<input type="checkbox"/>	<input type="checkbox"/>	CHANGE OF OWNERSHIP. Submit a written narrative of the proposed change, all legal documents associated with the change in ownership and an organizational chart showing the structure of the registrant following the proposed change.
<input type="checkbox"/>	<input type="checkbox"/>	DISCLOSURE QUESTIONS. Provide complete written details outlining the events and/or proceedings and any related documentation for any disclosure question on the MU1 that changed to “yes” prior to the commissioner’s approval of any changes.
<input type="checkbox"/>	<input type="checkbox"/>	QUALIFIED PERSON WITH EXPERIENCE. If the person named on the initial application to meet the requirements of NH RSA 397-A:5, III(e) leaves the registrant, the Department must be notified and a new individual named. This individual shall be employed full-time in a supervisory capacity at the registrant’s principal office and shall have been actively engaged in the mortgage business <i>in a similar supervisory capacity</i> for a minimum of 3 of the preceding 5 years. This individual will more than likely be a principal of the registrant, and the experience outlined on the MU2 filed through the NMLS will be reviewed for compliance with the statute.

<input type="checkbox"/>	<input type="checkbox"/>	ADDRESS CHANGE. The original principal office registration issued by this department must be returned for amendment. This amendment must be filed no later than 10 business days prior to the effective date of such change of location.
<input type="checkbox"/>	<input type="checkbox"/>	ADDITION OR DELETION OF CONTROL PERSONS, PRINCIPALS OR CONTACT PERSONS. Addition or deletion of a control person or principal should be made within 30 days of the change by amending the Direct Owners/Executive Officers or Indirect Owners section on Form MU1. Notification of changes to certain contact persons (e.g. work-out contact, examination, litigation) should be made directly to the Department by amending the first page of NH Part II. To ensure these changes are made in a timely manner, written notification to the Department should also be provided.
<input type="checkbox"/>	<input type="checkbox"/>	AUTHORIZATION FOR BACKGROUND CHECK AND RELEASE. For each MU2 control person/principal, qualifying individual, and certain contact persons, submit an executed original copy of the release form from the link below directly to the Department. The NMLS does not do background checks on MU2 individuals unless they also happen to be licensed as loan originators. Criminal Records checks are conducted by the State of New Hampshire Department of Safety, State Police Division. Complete all items in Section I of the Authorization, and make sure to sign the release information in Section II of the form and have the form notarized. We will forward the document(s) and check(s) to the Department of Safety. Criminal History Record Information Authorization Form
<input type="checkbox"/>	<input type="checkbox"/>	The Department of Safety charges a \$55.25 fee to cover costs for each record check All checks and money orders for the record checks must be made payable to "State of NH – Criminal Records." Fees covering multiple individuals may be combined into one check.
<input type="checkbox"/>	<input type="checkbox"/>	FINGERPRINT CARDS. Until such time as the NMLS has procedures in place for collecting this information, for each control person/principal, qualifying individual and certain contact persons, submit one fingerprint card issued by the NH Department of Safety. You may electronically submit a request to the Banking Department, and we will send you the number of cards you need. An email/fax form can be found on our website at http://www.nh.gov/banking/FingerprintCardRequest.pdf or call (603) 271-8675) Fingerprint Request Form

WHO TO CONTACT – Contact New Hampshire licensing staff by phone at (603) 271-8675 or send your questions via e-mail to Licensing@banking.state.nh.us for additional assistance.

THE APPLICANT/LICENSEE IS FULLY RESPONSIBLE FOR ALL OF THE REQUIREMENTS OF THE LICENSE FOR WHICH THEY ARE AMENDING. THE JURISDICTION SPECIFIC REQUIREMENTS CONTAINED HEREIN ARE FOR GUIDANCE ONLY TO FACILITATE AMENDMENT REQUEST THROUGH THE NMLS. SHOULD YOU HAVE QUESTIONS, PLEASE CONSULT LEGAL COUNSEL.