



## Company New Application Checklist Agency Requirements



### NEW YORK MORTGAGE LOAN SERVICER REGISTRATION

This document includes instructions on how to complete the requirements for licensing with the New York Department of Financial Services (“Department”) for a Mortgage Loan Servicer Registration.

Applicants must also complete and submit a branch office application Branch (MU3) Form for each additional branch office requested as part of this application. The Department will process no more than **two** branch applications as part of the initial Mortgage Loan Servicer application.

#### Fees

Applicants must pay the following non-refundable fees:

- Investigation fee: \$3,000
- Fingerprint processing fee: \$102.25 – for each control person
- Branch office fee: \$500 - for each additional branch requested. *This fee is paid through the submission of the Branch (MU3) Form.*
- Credit report fee: \$15 – for each control person  
The fee will be imposed if a credit report has not been authorized through NMLS in the past 30 days for each required control person, as defined in the checklist below
- NMLS Processing fee: \$100

**Fees collected through the NMLS ARE NOT REFUNDABLE.**

#### Weekly Bulletin Publication

Applications deemed complete are published in the Department’s Weekly Bulletin every Friday. The Weekly Bulletin can be accessed via the following link: <http://www.dfs.ny.gov/reportpub/wb.htm>.

#### Incomplete Application

If an application is determined to be incomplete, the applicant will receive a written notice identifying the items and matters that must be addressed for the Department to continue the application review process.

If a complete response fully addressing all such items and matters to the satisfaction of the Department is not received within 30 days of sending such notice, the application will be considered withdrawn. Any applicant seeking a registration following the withdrawal of an application must submit a new application that must include all required information, documents, and fees.

#### Approval or Denial

After the application has been processed, the applicant will receive written notification of the approval or denial of the application. To review your status or see detailed communication from the regulator, click on the Composite View tab and then click on View License/Registration in NMLS see ([License Status Quick Guide](#)) for instruction.

Upon approval of the application, but prior to registration, the applicant must submit the required surety bond. Also, the applicant will be required to take part in a conferral meeting, after which a Registration Certificate will be issued. If the application is denied, the applicant will receive notification of denial.

### **Submitting a Complete Application**

The checklist below provides instructions and requirements for information to be entered into NMLS, including the documents that must be uploaded into NMLS, as well as those documents for which originals must be mailed to the Department.

For help with the NMLS application, see the [Quick Guide for submitting a complete Company Form](#) filing through NMLS.

Items marked **Filed in NMLS** must be completed and/or uploaded onto the NMLS. Note this information will not be viewable to the Department until the application has been submitted through NMLS.

For help with document uploads, see the [Quick Guide for document upload in NMLS](#)

### **Other Helpful Resources**

- [Company \(MU1\) Form Filing Instructions](#)
- [Document Upload Descriptions and Examples](#)
- [Individual \(MU2\) Form Filing Quick Guide](#)
- [Financial Statements Quick Guide](#)
- [Payment Options Quick Guide](#)
- [License Status Review & Definitions Quick Guide](#)

Jurisdiction specific requirements marked **Submitted Outside NMLS** must be received by the Department within five (5) business days of the submission of your application through the NMLS. **Note:** The Applicant's NMLS Identification Number must be included on every document submitted. If originals are required, the originals **MUST** be mailed in hard copy to the following address:

New York State Department of Financial Services  
Attention: Mortgage Banking – Application Unit  
One State Street  
New York, NY 10004

**DO NOT SEND THIS CHECKLIST TO THE DEPARTMENT**

FILED IN NMLS	SUBMITTED OUTSIDE NMLS	NOT APPLICABLE	<b>NEW YORK MORTGAGE LOAN SERVICER REGISTRATION</b>
<input type="checkbox"/>	N/A	N/A	<p><b>NMLS Application:</b> The applicant will be required to submit the Company (MU1) Form through NMLS before the Department will accept documentation for New York State jurisdiction-specific requirements.</p>
<input type="checkbox"/>	N/A	N/A	<p><b>Qualifying Individual:</b> Each applicant must designate a person or persons to serve as the Qualified Person (“qualifier”) in charge of the mortgage loan servicing activities. Such person must have five years verifiable experience in the business of servicing mortgage loans or similar servicing experience and be actively engage in the operations of the servicer.</p> <p>The Qualifier must be designated and entered in the corresponding field in Company (MU1) Form . <b>The person designated must be an owner, general partner, trustee or officer of the applicant.</b> A Form MU2 must be completed for the Qualifier.</p> <p><b>Note:</b> The Department will not accept verification of experience from the applicant.</p>
<input type="checkbox"/>	N/A	N/A	<p><b>Resident/Registered Agent:</b> The Department does not require you to have a Registered Agent physically located in the State of New York, however this section CANNOT be left blank on the Company (MU1) Form.</p> <p>If you have not engaged an agent for services of process in the State of New York you can use the following address to complete the Registered Agent information. The New York Department of State -Division of Corporation, 99 Washington Avenue, Albany, NY 12231.</p>
<input type="checkbox"/>	N/A	N/A	<p><b>Corporate Financial Statements:</b> An applicant must upload the following corporate financial statements:</p> <p>(A) Audited financial statement for the past three fiscal years prepared by a Certified Public Accountant in accordance with Generally Accepted Accounting Principles; <b>and</b></p> <p>(B) Unaudited financial statement for the most recent quarter signed and affirmed by an executive officer of the company.</p> <p>Financial statements should include a Balance Sheet, Income Statement and Statement of Cash Flows and all relevant notes thereto.</p> <p><b>Note:</b> If applicant is a start-up company, only an initial Statement of Condition is required.</p> <p><b>NOTE:</b> Financial statements are uploaded separately under the Filing tab and <i>Financial Statement</i> submenu link. See the <a href="#">Financial Statement Quick Guide</a> for instructions.</p>

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<input type="checkbox"/>	N/A	N/A	<p><b>Other Trade Names:</b> If the applicant will be operating under a name other than its legal name, such as a “Doing Business As” (D/B/A) or “fictitious” name, the name(s) must be listed under the Other Trade Names section on the NMLS Company Form. Companies using “fictitious” names or forced D/B/As must select “forced” in the NMLS filing.</p> <p>Applicants must provide a file-stamped copy of the Certificate of Assumed Name from the Secretary of State of New York. Detailed instructions on using or adding a new “D/B/A” or assumed name are posted on the Department’s website at <a href="http://www.dfs.ny.gov/banking/iambdbanam.htm">http://www.dfs.ny.gov/banking/iambdbanam.htm</a></p> <p><input type="button" value="Upload"/> this document in NMLS under the Document Type “Trade Name/Assumed Name Registration Certificates” in the <i>Document Uploads</i> section of the Company (MU1) Form.</p>
<input type="checkbox"/>	<input type="checkbox"/>	N/A	<p><b>Control Person:</b> A control person is an individual or entity that directly or indirectly owns, controls or holds with power to vote 10% of more of the voting stock of the applicant, or possesses the power to direct or cause the direction of the management or policies of the applicant.</p> <p><b>Note: Applicants are required to provide a comprehensive list of control persons as defined in Section 594-b of the New York Banking Law.</b> Form MU2 must be completed for each control person, three most senior executive officers and directors.</p> <p>Examples of a control person include but are not limited to a controlling member of a partnership, managing member of a limited liability company, trustee, principal beneficiary of a trust, all direct and indirect principal stockholders of a corporate applicant, members of the board of directors, and executive officers.</p>
<input type="checkbox"/>	<input type="checkbox"/>	N/A	<p><b>Secretary of State Documentation:</b>  <b>For Domestic Companies</b> (entities incorporated or chartered in the State of New York):</p> <p>(A) Mail an original Certificate of Good Standing, if the applicant has been incorporated for more than six months, <b>and</b></p> <p>(B) Upload one of the following:</p> <ul style="list-style-type: none"> <li>• Certified copy of certificate of incorporation and filing receipt (if a corporation); <b>or</b></li> <li>• The Articles of Organization and Operating Agreement (if a limited liability company); <b>or</b></li> <li>• Partnership Agreement or Trust Agreement (if a partnership or established pursuant to a trust).</li> </ul> <p><b>For Foreign Companies</b> (entities incorporated or chartered outside the State of New York):</p> <p>(A) Mail an original Certificate of Good Standing from the New York Secretary of State if the authority to conduct business in New York is more than six months old; <b>and</b></p>

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			<p>(B) Upload one of the following:</p> <ul style="list-style-type: none"> <li>• Copy of filing receipt and certified copy of Application for Authority from the New York Secretary of State; <b>or</b></li> <li>• Copy of filing receipt and certified Certificate of Fictitious Name from the New York Secretary of State if you filed for a fictitious name; <b>and</b></li> </ul> <p>(C) Provide one of the following:</p> <ul style="list-style-type: none"> <li>• Certified copy of certificate of incorporation and filing receipt from the Secretary of State for the state in which the entity was incorporated or chartered (if a corporation); <b>or</b></li> <li>• The Articles of Organization and Operating Agreement (if a limited liability company); <b>or</b></li> <li>• Partnership Agreement or Trust Agreement (if a partnership or established pursuant to a trust).</li> </ul> <p><input type="button" value="Upload"/> these document in NMLS under the Document Type “Certificate of Authority/Good Standing Certificate” in the <i>Document Uploads</i> section of the Company (MU1) Form.</p>
<input type="checkbox"/>	N/A	N/A	<p><b>Credit Report:</b> Control persons, including directors, the three most senior executive officers and, if different, the Qualifier, are required to authorize a credit report through NMLS. An applicant that has only two executive officers must substitute the compliance officer for the third executive officer.</p> <p>Such persons will be required to complete an Identity Verification Process (IDV) along with an individual attestation before a registration request for your company can be filed through NMLS.</p> <p><b>Note:</b> If a credit report includes derogatory information, the individual, where applicable, will be required to provide an explanation, including, but not limited to: (1) relevant payoff or satisfaction letters from creditors and/or collection agencies evidencing payment of outstanding obligations or an existing repayment plan, (2) relevant tax lien releases or satisfaction notices or an existing repayment plan, (3) a lender short sale approval letter or loan modification approval, (4) bankruptcy discharge documents, (5) court order(s) vacating outstanding judgments, (6) documentation supporting a medical condition and its financial impact on the individual, (7) documentation demonstrating identity theft and its financial impact on the individual, and (8) a child support enforcement balance and arrears statement or letter.</p>

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N/A	<input type="checkbox"/>	N/A	<p><b>Surety Bond:</b> Each applicant must mail an original mortgage loan servicer bond in the amount of \$250,000 furnished by a surety company authorized to conduct business in New York. The name of the principal insured on the bond must match exactly the full legal name of the applicant, as authorized by the Secretary of State of New York.</p> <p><b>Note:</b> Surety bonds are not required to be submitted until the application has been approved. The Department will not issue a registration until the bond has been received and accepted.</p> <p>Applicants must use the Mortgage Loan Servicer Surety Bond Form posted on the Department’s website at <a href="http://www.dfs.ny.gov/banking/iambbond.pdf">http://www.dfs.ny.gov/banking/iambbond.pdf</a></p> <p>This information should be sent directly to the address listed above.</p>
N/A	<input type="checkbox"/>	N/A	<p><b>Letter of Assurance:</b> Provide a letter on the company letter head stating that the applicant will maintain adjusted Net Worth of not less than \$250M plus ¼ of one percent of the outstanding principal balance of aggregate mortgages serviced (whether or not in New York), as required under Part 418.12 of the Superintendent’s Regulations. The letter must be signed by the designated officer authorized by the corporate resolution.</p> <p>This information should be sent directly to the address listed above.</p>
<input type="checkbox"/>	N/A	N/A	<p><b>Errors and Omissions:</b> Applicants are required to have a minimum E&amp;O coverage of \$300,000 (naming the Superintendent as an additional loss payee). See Part 418.12 of the Superintendent’s Regulations.</p> <p><input type="button" value="Upload"/> this document in NMLS under the Document Type “Errors and Omissions (Insurance Policy)” in the <i>Document Uploads</i> section of the Company (MU1) Form.</p>
<input type="checkbox"/>	N/A	N/A	<p><b>Fidelity Bond:</b> Applicants are required to have a minimum Fidelity Bond of \$300,000 (naming the Superintendent as an additional loss payee). See Part 418.12 of the Superintendent’s Regulations.</p> <p><input type="button" value="Upload"/> this document in NMLS under the Document Type “Fidelity Bond” in the <i>Document Uploads</i> section of the Company (MU1) Form.</p>
N/A	<input type="checkbox"/>	N/A	<p><b>Net Worth Requirement:</b> Each Applicant shall demonstrate the ability to maintain adjusted net worth of at least \$250,000 plus ¼ of 1% of the outstanding principal balance of aggregate mortgages serviced (whether or not in New York), provided, that, if such Person is solely a Third-party servicer, such net worth calculation shall be based upon the amount of the entity’s New York mortgage loans serviced, and if such Person is a Third-party servicer with respect to certain mortgage loans and owns other mortgage loans or the servicing rights thereto, it shall maintain net worth of at least \$250,000 plus ¼ of 1% of the outstanding principal balance of the non-Third-party servicer loans and ¼ of 1% of the outstanding principal amount of the New York mortgage loans for which it is a Third-party</p>

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			<p>servicer. Please select and complete the appropriate Mortgage Loan Servicer Financial Responsibility Worksheet which must include a notarized signature of the senior executive officer authorized by the applicant's Board of Directors to file this application.</p> <p>Please select the appropriate worksheet :</p> <ul style="list-style-type: none"> <li>• <a href="#">Servicing Only</a></li> <li>• <a href="#">Third Party Servicing Only</a></li> <li>• <a href="#">Third Party Servicer and Owns Other Mortgage Loans or Servicing Rights</a></li> </ul> <p>This information should be sent directly to the address listed above.</p>
N/A	<input type="checkbox"/>	N/A	<p><b>Personal Financial Statements:</b> Control persons, including directors, the three most senior executive officers and, if different, the Qualifier, must submit a personal financial statement as of the date of the filing of the electronic application. An applicant that has only two executive officers must substitute the compliance officer for the third executive officer. The Personal Financial Statement Form can be download at <a href="http://www.dfs.ny.gov/banking/iambfs.pdf">www.dfs.ny.gov/banking/iambfs.pdf</a></p> <p>This information should be sent directly to the address listed above.</p>
N/A	<input type="checkbox"/>	N/A	<p><b>Personal Questionnaire:</b> Control persons, including directors, the three most senior executive officers and, if different, the Qualifier, must submit a personal questionnaire. An applicant that has only two executive officers must substitute the compliance officer for the third executive officer.</p> <p>The Personal Questionnaire Form can be downloaded from the Department's website at <a href="http://www.dfs.ny.gov/banking/iambphq.pdf">http://www.dfs.ny.gov/banking/iambphq.pdf</a>.</p> <p>This information should be sent directly to the address listed above.</p>
N/A	<input type="checkbox"/>	N/A	<p><b>Resume:</b> The three most senior executive officers and the Qualifier, if different, must submit a resume. An applicant that has only two executive officers must substitute the compliance officer for the third executive officer.</p> <p>This information should be sent directly to the address listed above.</p>
N/A	<input type="checkbox"/>	N/A	<p><b>Litigation Affidavit:</b> Control persons, including directors, the three most senior executive officers and, if different, the Qualifier must submit a litigation affidavit. If applicable, also provide a letter from the applicant's attorney detailing any pending litigation and the most likely outcome. An applicant that has only two executive officers must substitute the compliance officer for the third executive officer.</p> <p>The Litigation Affidavit is posted on the Department's website at <a href="http://www.dfs.ny.gov/banking/iamblitaff.pdf">http://www.dfs.ny.gov/banking/iamblitaff.pdf</a></p> <p>This information should be sent directly to the address listed above.</p>



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N/A	<input type="checkbox"/>	N/A	<p><b>Background Report and Background Report Certification:</b> An investigative background report is required for all control persons, including directors, the three most senior executive officers, and, if different, the Qualifier. An applicant that has only two executive officers must substitute the compliance officer for the third executive officer.</p> <p>The Background Report Certification Form is posted on the DFS website at <a href="http://www.dfs.ny.gov/banking/iambcertbkr.pdf">http://www.dfs.ny.gov/banking/iambcertbkr.pdf</a></p> <p><b>Background Reports must be submitted directly to the Department by the Private Investigation Company.</b> Detailed instructions regarding the specific components of the required background report are posted on the Department's website at: <a href="http://www.dfs.ny.gov/banking/background_report_instructions.pdf">http://www.dfs.ny.gov/banking/background_report_instructions.pdf</a></p>
N/A	<input type="checkbox"/>	N/A	<p><b>Fingerprints:</b> For each control person, including directors, the three most senior executive officers and, if different, the Qualifier, fingerprints must be submitted to the Department as instructed. An applicant that has only two executive officers must substitute the compliance officer for the third executive officer.</p> <p>Detailed instructions regarding the fingerprint process, including procedures and forms, are posted on the Department's website at <a href="http://www.dfs.ny.gov/banking/iafpplmbb.htm">http://www.dfs.ny.gov/banking/iafpplmbb.htm</a></p> <p>Applicants can submit request for fingerprint cards via e-mail to: <a href="mailto:fingerprintrequest@dfs.ny.gov">fingerprintrequest@dfs.ny.gov</a></p> <p><b>Note:</b> Rolled Fingerprints will only be accepted from law enforcement and government agencies.</p>
N/A	<input type="checkbox"/>	N/A	<p><b>Certification and Affirmation:</b> Each of the three most senior executive officers must provide a signed certification and affirmation form stating that the applicant will immediately notify the Superintendent of any changes to the information furnished in the application and that a designated officer has reviewed the application and certifies that the application does not contain any untrue statement or omission of material facts. An applicant that has only two executive officers must substitute the compliance officer for the third executive officer.</p> <p>The Certification and Affirmation Form is posted on the Department's website at <a href="http://www.dfs.ny.gov/banking/mbcert.pdf">http://www.dfs.ny.gov/banking/mbcert.pdf</a></p> <p>This information should be sent directly to the address listed above.</p>



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N/A	<input type="checkbox"/>	N/A	<p><b>Corporate Resolution:</b> Each corporate applicant must provide an original corporate resolution designating the officer authorized to execute the application on behalf of the entity. The resolution must be signed by the corporate secretary and bear the seal of the corporation.</p> <p>For partnership, limited liability company or trust entities, applicants must provide a resolution signed by a managing member, general partner, or trustee designating the officer authorized to execute the application on behalf of the entity.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Disclosure Questions:</b> Each applicant must provide complete details of all events or proceedings for any “Yes” answer to any of the Disclosure questions for the company or any control persons, including the three most senior executive officers, each controlling member of a partnership, each director, each managing member of a limited liability company, trustee, principal beneficiary of a trust, all direct and indirect principal stockholders of a corporate applicant, and members of the board of directors. An applicant that has only two executive officers must substitute the compliance officer for the third executive officer.</p> <p><input type="button" value="Upload"/> a copy of any applicable orders or supporting documents in the <i>Disclosure Explanations</i> section of the Company (MU1) Form.</p> <p>See the <a href="#">Company Disclosure Explanations Quick Guide</a> for instructions.</p>
<input type="checkbox"/>	N/A	N/A	<p><b>Business Plan:</b> Upload a business plan that specifically addresses the applicant’s mortgage servicing activities. The business plan must address (i) actual and/or projected New York mortgage servicing volume in dollars and number of loans; (ii) types of products serviced; (iii) servicing fees and revenues; (iv) projected growth; (v) government agency or government sponsored agency servicing and volume serviced for such agencies; (vi) technology employed in servicing loans, and (vii) outsourced servicing activities.</p> <p><input type="button" value="Upload"/> this document in NMLS under the Document Type “Business Plan” in the <i>Document Uploads</i> section of the Company (MU1) Form.</p>
N/A	<input type="checkbox"/>	N/A	<p><b>Compliance Program:</b> Provide a summary description of the applicant’s compliance program. The summary should address (i) employee training; (ii) method of delivering training to employees; (iii) frequency of training; (iv) training timeline for newly hired employees; (v) frequency of compliance reviews; (vi) compliance risk rating methodology, and escalation process, and (vii) compliance oversight and reporting structure.</p> <p>This information should be sent directly to the address listed above.</p>

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<input type="checkbox"/>	N/A	N/A	<p><b>Management and Organizational Charts:</b> Each applicant must submit an organizational and management chart showing the operating management structure, reporting lines of executive officers, and operating committees. Also, separately identify compliance reporting and internal audit structure.</p> <p>Additionally, if the applicant is owned by another entity or entities or person(s), or has subsidiaries, organizational and management charts provided must clearly delineate ownership structure and subsidiary relationships, including interlocking management. Also, identify any New York State licensed or registered affiliates.</p> <p><input type="button" value="Upload"/> the management chart in NMLS under the Document Type “Management Chart” in the <i>Document Uploads</i> section of the Company (MU1) Form.</p> <p><input type="button" value="Upload"/> the organization chart in NMLS document under the Document Type “Organizational Chart/Description” in the <i>Document Uploads</i> section of the Company (MU1) Form.</p>
N/A	<input type="checkbox"/>	N/A	<p><b>Certificate of Compliance:</b> Each applicant must provide an original, signed certificate stating that they are in compliance with Section 296-a of the New York State Executive Law prohibiting unlawful discriminatory practices in relation to credit. The Certificate must be signed by an officer designated by the corporate resolution.</p> <p>The Certificate of Compliance is posted on the Department’s website at <a href="http://www.dfs.ny.gov/banking/iambcertcom.pdf">http://www.dfs.ny.gov/banking/iambcertcom.pdf</a></p> <p>This information should be sent directly to the address listed above.</p>
N/A	<input type="checkbox"/>	N/A	<p><b>Workers Compensation:</b> Each applicant must submit evidence of compliance with workers’ compensation law (Workers’ Compensation Law, Section 57) and insurance disability law (Disability Law, Section 220, Subd. 8).</p> <p>To comply with the provisions of the workers’ compensation law and insurance disability law, a business must be: (i) legally exempt from obtaining workers’ compensation of disability benefit insurance coverage, (ii) obtain workers’ compensation and disability coverage from an insurance carrier, or (iii) be self-insured or participate in an authorized group self-insurance plan. Such evidence may take the form of (i) an exemption letter from the Workers’ Compensation Board, (ii) an insurance carrier insurance certificate, or (iii) an approval for self-insurance from the Workers’ Compensation Board.</p> <p>This information should be sent directly to the address listed above.</p>

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N/A	<input type="checkbox"/>	N/A	<p><b>Aggregate Servicing Volume:</b> Provide a report detailing “Aggregate Servicing Volume.” The report should list the aggregate servicing volume (number of loans and unpaid principal balance) by loan type (e.g. FNMA, GNMA, Private Label, etc.). The report must also include a total or be provided in an excel format.</p> <p>This information should be sent directly to the address listed above.</p>
N/A	<input type="checkbox"/>	N/A	<p><b>Servicing Volume by State:</b> Provide a report detailing “Servicing Volume by State.” The report must list servicing volume (number of loans and unpaid principal balance) by state for all states in which the company currently performs servicing activities. The report must include a total or be provided in an excel format.</p> <p>This information should be sent directly to the address listed above.</p>
N/A	<input type="checkbox"/>	N/A	<p><b>Delinquency Status Report:</b> Provide a “Delinquency Status Report.” The report must provide a breakdown of loans by delinquency status based on the following categories: 30, 60, 90, 120 days delinquent. The report must also separately categories all loans in the process of foreclosure.</p> <p>This information should be sent directly to the address listed above.</p>
N/A	<input type="checkbox"/>	N/A	<p><b>Loss Mitigation:</b> Provide a summary of the applicant’s loss mitigation initiatives. The summary must address (i) aggregate number and dollar volume of loans currently under review for loan modification or other loss mitigation plans; (ii) breakdown of loan modification or other loss mitigation plans approved during the past 24 months on New York property, and (iii) loan modification program requirements.</p> <p>This information should be sent directly to the address listed above.</p>
N/A	<input type="checkbox"/>	N/A	<p><b>Leases:</b> Each applicant must provide copies of leases, subleases or lease assignments, if applicable, for all locations the applicant seeks to registration. Leases must meet the following criteria:</p> <ul style="list-style-type: none"> <li>• Must be for commercial use;</li> <li>• Must be fully executed in the name of the applicant by a designated officer or owner of the applicant;</li> <li>• Must provide for the tenant’s exclusive use;</li> <li>• Must sufficiently describe the location of the premises (e.g., in addition to address, it must indicate floor and suite number and/or office number);</li> <li>• Lease terms must be for at least six (6) months. <b>Month-to-month leases and license agreements are not accepted;</b></li> </ul> <p><b>Note:</b> If the lease and/or sublease contain a 30 days termination clause, the Department will interpret it as a month-to-month lease.</p> <ul style="list-style-type: none"> <li>• Must include the printed name of any signatory, the company name, and the signatory’s title beneath the signature;</li> <li>• Must include all assignments, modifications, and amendments; and</li> <li>• Must specifically allow for a sublease or assignment if a sublease or assignment is being submitted, as evidenced by a landlord consent</li> </ul>

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			<p>letter;</p> <ul style="list-style-type: none"> <li>• Applicants seeking to register residential property must submit a certified copy of the property deed along with zoning permissions; and</li> <li>• Any additional information the Department requests.</li> </ul> <p><b>Note:</b> A written explanation must be provided for all sublease reflecting a rental charge less than the main lease agreement</p> <p>This information should be sent directly to the address listed above.</p>
N/A	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Word Approval Authorization Certificate:</b> Entities that wish to engage in business involving residential mortgage loan servicing on one-to-four family residential properties must secure the prior approval of the Superintendents to use the following words or any derivative thereof in Business Names, Assumed (d/b/a) or Fictitious Names.</p> <ul style="list-style-type: none"> <li>• <b>Loan</b></li> <li>• <b>Mortgage</b></li> <li>• <b>Finance</b></li> <li>• <b>Investment</b></li> </ul> <p><b>Note:</b> All applicants must demonstrate compliance with the statutory requirement. A copy of the word approval authorization certificate received from the Department and submitted to the New York Department of State must be provided with the Mortgage Loan Servicer Application..</p> <p>Detailed instructions on obtaining the approval of the Superintendent to use certain words are posted on the Department’s website at <a href="http://www.dfs.ny.gov/legal/industry_circular/banking/ilnameapromb.htm">http://www.dfs.ny.gov/legal/industry_circular/banking/ilnameapromb.htm</a></p> <p>This information should be sent directly to the address listed above.</p>
N/A	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Website Questionnaire:</b> Each applicant is required to complete a website questionnaire in order to use a website in its New York operations. Applicants will be required to address policies, procedures and other measures implemented to safeguard the disclosure of consumer information. Additionally, each applicant must demonstrate proof of domain name(s) registration, and information related to how the website is controlled and serviced.</p> <p>The Website Questionnaire is posted on the DFS website at <a href="http://www.dfs.ny.gov/banking/iambwebquest.pdf">http://www.dfs.ny.gov/banking/iambwebquest.pdf</a></p> <p>This information should be sent directly to the address listed above.</p>
N/A	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Waiver Requests:</b> Consistent with the New York Banking Law and the General Regulations of the Superintendent, the New York State Department of Financial Services may, in its discretion and in limited circumstances, consider requests for waiver of certain informational requirements applicable to control persons, excluding individual owners directly or indirectly 10 percent or more of the voting stock, or equivalent interest, of the applicant or of the voting stock, or equivalent interest, of an entity that directly or indirectly owns 10 percent or more of the applicant,</p>

FILED IN NMLS	SUBMITTED OUTSIDE NMLS	NOT APPLICABLE	NEW YORK MORTGAGE LOAN SERVICER REGISTRATION
			<p>where it determines the waiver will not adversely impact the application process or the ability of the Department to adequately determine the character and fitness of an applicant. Any waiver request should be in writing and submitted to the Deputy Superintendent of Mortgage Banking. Consideration of any waiver request will be fact specific and may require submission of substantial supporting documentation. Waiver requests may be granted subject to conditions.</p> <p>In considering a waiver request, the New York State Department of Financial Services may take into account factors such as any publicly available information that would provide the Department with sufficient insight into the background and financial status of the individual or individuals for whom the waiver is sought, lack of any direct or indirect control, influence or oversight by such individual or individuals over the management or operations of the applicant, including serving on the board of directors of the applicant or acting or functioning as a director or officer of the applicant, or any ability, whether direct or indirect, to appoint or dismiss any members of the management, the board of directors or similar officials of the applicant. Additionally, the Department may take into account any evidence of regulatory concerns regarding the applicant, its officers and directors. The Department will also assess whether existing regulatory oversight, due diligence or other available or utilized processes are comparable to the Department's application due diligence process. Any waiver request should address the above factors. Furthermore, in the process of reviewing and considering the application, the Department may request additional information and supporting documents.</p> <p>This information should be sent directly to the address listed above.</p>

YOU ARE NOT AUTHORIZED TO ENGAGE IN NEW YORK REGULATED MORTGAGE LOAN SERVICING UNTIL YOUR REGISTRATION HAS BEEN APPROVED BY THE SUPERINTENDENT

**WHO TO CONTACT** – For questions concerning a mortgage loan servicer registration, please contact the Department at [MLS@dfs.ny.gov](mailto:MLS@dfs.ny.gov).

THE APPLICANT/REGISTRANT IS FULLY RESPONSIBLE FOR ALL OF THE REQUIREMENTS OF THE REGISTRATION FOR WHICH THEY ARE APPLYING. THE AGENCY SPECIFIC REQUIREMENTS CONTAINED HEREIN ARE FOR GUIDANCE ONLY TO FACILITATE APPLICATION THROUGH THE NMLS. SHOULD YOU HAVE QUESTIONS, PLEASE CONSULT LEGAL COUNSEL.