



SD Non-Residential Mortgage Lender License Amendment Checklist (Company)

CHECKLIST SECTIONS

- [General Information](#)
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GENERAL INFORMATION

Instructions

When making changes to your record in NMLS, South Dakota Division of Banking requires advance notification for some changes. See the checklist below for details.

Uploading Agency-Specific Documents

If you are required to upload documents to NMLS for an Advance Change Notice (ACN), select “Advance Change Notice” for the document type in the NMLS Document Uploads section. If you are required to upload documents for an amendment that doesn’t require ACN, select the applicable document type in the NMLS Document Uploads section.

Note: Use the recommended filing naming convention found on the [Document Upload Descriptions and Examples](#).

Helpful Resources

- [Amendments & Advance Change Notice](#)
- [Document Uploads Quick Guide](#)
- [Document Upload Descriptions and Examples](#)

Agency Contact Information

Contact South Dakota Division of Banking licensing staff by phone at (605) 773-3421 or send your questions via email to DLR.BankingLicensing@state.sd.us for additional assistance.

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

AMENDMENTS

- [Change of Legal Name](#)
 - Change of Legal Name: \$0 per license
- [Change of Main Address](#)
 - Change of Main Address: \$0 per license
- [Addition or Modification of Other Trade Name](#)
 - Addition of Other Trade Names: \$0 per license
- [Deletion of Other Trade Name](#)
 - Deletion of Other Trade Name: \$0
- [Change of Legal Status](#)
 - Change of Legal Status: \$0
- [Addition or Modification of Direct Owners/Executive Officers](#)
 - 25% Owner or New Direct Owner: \$500
- [Addition or Modification of Indirect Owners](#)
 - Indirect Owner: \$0
- [Addition or Modification of Qualifying Individuals](#)
 - Change of Qualifying Individual: \$0 per license
- [Change of Disclosure Question\(s\)](#)

Note: Information uploaded or filed in NMLS will not be viewable to the agency until the filing has been attested to and submitted through NMLS. Agency-specific requirements that should be emailed or mailed to the agency on the checklist below must be received with the appropriate checklist within five (5) business days of the electronic submission of your filing through NMLS.

Complete	SD Non-Residential Mortgage Lender License Change of Legal Name Amendment Items	Submitted via...
<input type="checkbox"/>	Change of Legal Name: Submit an ACN for a change of Legal Name through the Company Form (MU1) in NMLS. 30-day notice must be provided for this change.	NMLS
Note	Change of Legal Name Fee: \$0 per license Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE.	N/A
<input type="checkbox"/>	<p>Formation Documents: Formation Documents must be submitted related to this change type.</p> <p>Determine classification of applicant's legal status and submit a State certified copy of the requested applicable documentation detailed below. Original formation documents and all subsequent amendments, thereto including a list of any name changes.</p> <p>Limited Liability Company ("LLC"):</p> <ul style="list-style-type: none"> Articles of Organization (including all amendments); Operating Agreement (including all amendments); IRS Form 2553 or IRS Form 8832 if S-corp treatment elected; and LLC resolution if authority not in operating agreement. <p>Corporation:</p> <ul style="list-style-type: none"> Articles of Incorporation (including all amendments); By-laws (including all amendments), if applicable; Shareholder Agreement (including all amendments), if applicable; IRS Form 2553 if S-corp treatment elected; and Corporate resolution if authority to complete application not in By-Laws or Shareholder Agreement, as amended, as applicable. 	Upload in NMLS: under the Document Type <u>Formation Document</u> in the <i>Document Uploads</i> section of the Company Form (MU1).
<input type="checkbox"/>	<p>South Dakota Secretary of State Certificate: South Dakota Secretary of State Certificate must be submitted related to this change type.</p> <p>Upload a State-issued and approved document (typically by the Secretary of State's office), that demonstrates authorization to do business in South Dakota.</p> <p>This document should be named <i>[SD Certificate of Authority OR SD Certificate of Good Standing]</i></p>	Upload in NMLS: under the Document Type <u>Certificate of Authority/Good Standing Certificate</u> in the <i>Document Uploads</i> section of the Company Form (MU1).

Complete	SD Non-Residential Mortgage Lender License Change of Main Address Amendment Items	Submitted via...
<input type="checkbox"/>	Change of Main Address: Submit an ACN for a change of Main (Corporate) Address through the Company Form (MU1) in NMLS. 30-day notice must be provided for this change.	NMLS
Note	Change of Main Address: \$0 per license Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE.	N/A
<input type="checkbox"/>	South Dakota Secretary of State Certificate: South Dakota Secretary of State Certificate must be submitted related to this change type. Upload a State-issued and approved document (typically by the Secretary of State's office), that demonstrates authorization to do business in South Dakota. This document should be named <i>[SD Certificate of Authority OR SD Certificate of Good Standing]</i>	Upload in NMLS: under the Document Type <u>Certificate of Authority/Good Standing Certificate</u> in the <i>Document Uploads</i> section of the Company Form (MU1).

Complete	SD Non-Residential Mortgage Lender License Addition or Modification of Other Trade Name Amendment Items	Submitted via...
<input type="checkbox"/>	Addition or Modification of Other Trade Name: Submit an ACN for an addition of or change to an “Other Trade Name” through the Company Form (MU1) in NMLS. 30-day notice must be provided for this change.	NMLS
Note	Addition of Other Trade Name \$0 per license. Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE.	N/A
<input type="checkbox"/>	<p>Trade Name/Assumed Name Registration Certificates: Trade Name/Assumed Name Registration Certificates must be submitted related to this change type.</p> <p>If operating under a name that is different from the applicant’s legal name, that name (“Trade Name”, “Assumed Name” or “DBA”) must be listed under the <i>Other Trade Names</i> section of the Company Form (MU1). The South Dakota Division of Banking does not limit the number of other trade names. However, all DBA’s must be registered with the South Dakota Secretary of State. Please provide proof the DBA name(s) are registered with the South Dakota Secretary of State.</p> <p>If operating under an “Other Trade Name”, upload South Dakota Certificate of Authority regarding ability to do business under that trade name.</p> <p>This document should be named <i>South Dakota Trade Name – Assumed Name</i>.</p>	Upload in NMLS: under the Document Type <u>Trade Name/Assumed Name Registration Certificates</u> in the <i>Document Uploads</i> section of the Company Form (MU1).

Complete	SD Non-Residential Mortgage Lender License Deletion of Other Trade Name Amendment Items	Submitted via...
<input type="checkbox"/>	<p>Deletion of Other Trade Name: Submit an ACN for a deletion an Other Trade Name through the Company Form (MU1) in NMLS. 30-day notice must be provided for this change.</p> <p>If deleting an “Other Trade Name”, this name must be removed from the <i>Other Trade Names</i> section of the Company Form (MU1).</p>	NMLS

Complete	SD Non-Residential Mortgage Lender License Change of Legal Status Amendment Items	Submitted via...
<p>Note: In many cases, a change to the Fiscal Year End, Legal Status, and State or Date of Formation indicates a new entity has been formed and a new NMLS record is required. This includes the creation of a new NMLS account and submission of a new Company Form (MU1).</p>		
<input type="checkbox"/>	Change of Legal Status: Submit an ACN for a change of Legal Status within the Company Form (MU1) in NMLS. 30 Days must be provided for this change.	NMLS

Complete	SD Non-Residential Mortgage Lender License Change of Legal Status Amendment Items	Submitted via...
<input type="checkbox"/>	<p>South Dakota Secretary of State Certificate: South Dakota Secretary of State Certificate must be submitted related to this change type.</p> <p>Upload a State-issued and approved document (typically by the Secretary of State's office), that demonstrates authorization to do business in South Dakota.</p> <p>This document should be named <i>[SD Certificate of Authority OR SD Certificate of Good Standing]</i></p>	<p>Upload in NMLS: under the Document Type <u>Certificate of Authority/Good Standing Certificate</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p>

Complete	SD Non-Residential Mortgage Lender License Addition or Modification of Direct Owners/Executive Officers Amendment Items	Submitted via...
<input type="checkbox"/>	<p>Addition or Modification of Direct Owners/Executive Officers: Submit an ACN for an addition or change in Direct Owners/Executive Officers within the Company Form (MU1) in NMLS. 30-day notice must be provided for this change.</p>	NMLS
<input type="checkbox"/>	<p>If more than 25% or if new owners: \$500.00</p>	NMLS (Agency Fee Invoice)
Note	<p>Credit Report: Credit Reports and authorizations for credit report through NMLS are not required.</p>	N/A
Note	<p>MU2 Individual FBI Criminal Background Check Not Required Through NMLS: Direct Owners and Executive Officers are NOT required to authorize a FBI criminal background check (CBC) through NMLS.</p>	N/A
<input type="checkbox"/>	<p>Updated Organizational Chart/Description: Submit a chart showing (or a description which includes) the percentage of ownership of:</p> <ul style="list-style-type: none"> • Direct Owners (total direct ownership percentage must equate to 100%) • Indirect Owners • Subsidiaries and Affiliates of the applicant/licensee <p>This document should be named <i>[Company Legal Name] Organizational Chart – Description</i>.</p>	<p>Upload in NMLS: under <u>Organizational Chart/Description</u> in the Document Uploads section of the Company Form (MU1). This document should be named <i>[Company Legal Name] Organizational Chart – Description</i></p>

Complete	SD Non-Residential Mortgage Lender License Addition or Modification of Direct Owners/Executive Officers Amendment Items	Submitted via...
<input type="checkbox"/>	<p>Updated Management Chart: Submit a Management chart displaying the applicant's directors, officers, and managers (individual name and title). Must also identify compliance reporting and internal audit structure.</p> <p>This document should be named <i>[Company Legal Name] Management Chart</i>.</p>	<p>Upload in NMLS: under the Document Type <u>Management Chart</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p>

Complete	SD Non-Residential Mortgage Lender License Addition or Modification of Indirect Owners Amendment Items	Submitted via...
<input type="checkbox"/>	<p>Addition or Modification of Indirect Owners: Submit an ACN for an addition or change in Indirect Owners within the Company Form (MU1) in NMLS. 30-day notice must be provided for this change.</p>	NMLS
Note	<p>Credit Report: Credit Reports and authorizations for credit report through NMLS are not required.</p>	N/A
Note	<p>MU2 Individual FBI Criminal Background Check Not Required Through NMLS: Indirect Owners are NOT required to authorize a FBI criminal background check (CBC) through NMLS.</p>	N/A

Complete	SD Non-Residential Mortgage Lender License Change of Disclosure Question(s) Amendment Items	Submitted via...
<input type="checkbox"/>	<p>Change of Disclosure Question(s): Submit an amendment for a change to Disclosure Question response(s) through the Company Form (MU1) in NMLS.</p>	NMLS
<input type="checkbox"/>	<p>Changing a Response from No to Yes: Provide a complete and detailed explanation and document upload for each response that changes from "No" to "Yes" for company or each control person.</p> <p>See the Company Disclosure Explanations Quick Guide for instructions.</p>	<p>Upload in NMLS in the <i>Disclosure Explanations</i> section of the Company Form (MU1) or Individual Form (MU2).</p>
<input type="checkbox"/>	<p>Changing a Response from Yes to No: When changing a Disclosure Question response from Yes to No, you will be required to remove the question from the associated Disclosure Explanation and provide an Amendment Reason.</p>	NMLS

Complete	SD Non-Residential Mortgage Lender License Change of Disclosure Question(s) Amendment Items	Submitted via...
	<p>You must select “Add Explanation for “No” Responses” and provide an explanation for each response that changes from “Yes” to “No” for company or each control person. You must also upload a document (PDF) related to the explanation.</p> <p>See the Company Disclosure Explanations Quick Guide for instructions.</p>	