



GA Mortgage Lender License/Registration Amendment Checklist (Company)

CHECKLIST SECTIONS

- [General Information](#)
- [Amendments](#)

GENERAL INFORMATION

Instructions

When making changes to your record in NMLS, the Department of Banking and Finance (Department) requires advance notification for certain changes. See the checklist below for specifics.

The amendment should not be filed until all required documentation is complete and ready for submission. *The Department may not accept or process materially incomplete filings/applications. Incomplete amendment applications will not be processed.* The Department will review the filing and communicate with you through NMLS, at which time any additional documents required will be requested. To review your status in NMLS, click the Tasks tab and click Work List.

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 the NDFI licensing staff by phone at (770) 986-1136 or send your questions via email to dbfmort@dbf.state.ga.us for additional assistance.

Georgia Department of Banking & Finance
NDFI Division
2990 Brandywine Road, Suite 200
Atlanta, GA 30341-5565

AMENDMENTS

- [Change of Legal Name](#)

Prohibited Words in the Applicant's Name: Use of the of the words "bank", "credit union", "trust" or any variation thereof in Georgia is highly restricted by O.C.G.A. § 7-1-243. Generally, before the Secretary of State allows an entity to incorporate or register a name containing such restricted word(s), the entity will be required to obtain written permission from the Department to use such word(s). Use of the words "national" or "federal" in a name is restricted by Georgia law (O.C.G.A. § 7-1-130) and by federal law. Georgia law pertains specifically to financial institutions (which are defined in O.C.G.A. § 7-1-4(21)). The federal prohibition is found at [18 USC 709: False advertising or misuse of names to indicate Federal agency](#).

- [Change of Main Address](#)

- [Addition or Modification of Other Trade Name](#)

Other Trade Names/DBA: O.C.G.A. § 7-1-1003(b)(2) requires that mortgage applicants provide "All names, including, but not limited to, website domain names (URLs), under which the applicant will conduct business in Georgia." Applicants should not include "dba" in front of their Other Trade Name. The name entered in NMLS should be exactly as it will be used in advertising, documents, etc. Applicants should indicate if the Other Trade Name is forced by a state by checking the box in the forced column. A forced Other Trade Name is one that is required to be used because the state's Secretary of State or other agency will not allow the company to use its legal name. This may be due to a number of reasons, including the company's legal name is already used by another company in that state.

Unless the Other Trade Name is forced, it must not include the words "corporation, incorporated, etc." or any variation/abbreviation that would give the impression the entity is incorporated.

The Georgia Secretary of State does not register trade names. Pursuant to O.C.G.A. § 10-1-490, trade names are registered with the clerk of superior court of the county in which the business is chiefly carried on or, in the case of a domestic corporation using a trade name, in the county of its legal domicile. You can search for the appropriate clerk's office by using the Georgia Superior Court Clerks' Cooperative Authority's website at <https://www.gsccca.org/clerks>. If there is no Georgia business location, DBA names should be registered with the appropriate authority in the licensee's home state.

- [Deletion of Other Trade Name](#)

- [Change of Legal Status](#)

- [Addition or Modification of Executive Officers or Other Control Persons](#)

- [Addition or Modification of Direct Owners/Indirect Owners](#)

- Change in Control: \$500

Control Persons: Control means the direct or indirect possession of power to direct or cause the direction of the management and policies of a person. The following persons must be separately identified and included in the Direct Owners/Executive Officers and Indirect Owners sections of the NMLS Company Form MU1:

(1) Ultimate equitable owner:

- a. Owns, directly or indirectly, a 10 percent or more interest in a corporation or any other form of business organization;
- b. Owns, directly or indirectly, 10 percent or more of the voting shares of any corporation or any other form of business organization; or
- c. Exerts control, directly or indirectly, over a corporation or any other form of business organization, regardless of whether such person owns or controls such interest through one or more natural persons or one or more proxies, powers of attorney, nominees, corporations, associations, limited liability

companies, partnerships, trusts, joint stock companies, other entities or devices, or any combination thereof.

(2) Executive officer: The chief executive officer, president, chief financial officer, chief operating officer, each vice president with responsibility involving policy-making functions for a significant aspect of a person's business, secretary, treasurer, or any other person performing similar managerial or supervisory functions with respect to any organization, whether incorporated or unincorporated.

(3) Officers, directors, or other persons who direct the affairs of or control or establish policy for the applicant.

Each MU2/Control Person is required to authorize an FBI criminal background check (CBC) through NMLS. **A criminal background increases the difficulty of making a favorable finding on an application. The Department shall not issue a license if the applicant or any of its MU2/Control Persons has been convicted of a felony and did not obtain a pardon or other remedy pursuant to O.C.G.A. Section 7-1-1004(h).**

EXEMPTIONS FOR CHANGE IN OWNERSHIP - Advance Notice Requirement:

The following transactions are exempt from application requirements; however, the person acquiring an interest in a mortgage broker or mortgage lender licensee or registrant in a transaction which is exempt from filing an application shall send written notice to the department of such acquisition within 30 days of the closing of such transaction:

- The acquisition of an interest in a licensee or registrant directly or indirectly, including an acquisition by merger or consolidation by or with a person licensed or registered by this article or a person exempt from this article under Code Section 7-1-1001;
- The acquisition of an interest in a mortgage broker or mortgage lender licensee or registrant directly or indirectly, including an acquisition by merger or consolidation by or with a person affiliated through common ownership with the licensee or registrant; or
- The acquisition of an interest in a mortgage broker or mortgage lender licensee or registrant by a person by bequest, descent, or survivorship or by operation of law.
- [Addition or Modification of Affiliates/Subsidiaries](#)
- [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.

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.

Complete	GA Mortgage Lender License/Registration 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. 5 days' notice should be provided for this change. There is no fee for a change of Legal Name.	NMLS
<input type="checkbox"/>	Surety Bond Rider: Contact the surety bond producer to inform them of the change and effective date so the producer can initiate the Surety Bond Rider Process in NMLS. Visit the NMLS Resource Center for more information.	Electronic Surety Bond in NMLS
<input type="checkbox"/>	Certificate of Amendment: Certificate of Amendment to Formation Documents must be submitted related to this change type. Determine classification of applicant's legal status, and if applicable, submit a State copy of the applicable documentation from the Georgia Secretary of State (i.e., Certificate of Amendment). This document should be named <i>Formation Documentation [Date of Creation (MM-DD-YYYY)]</i> .	Upload in NMLS: under the Document Type <u>Formation Document</u> in the <i>Document Uploads</i> section of the Company Form (MU1).

Complete	GA Mortgage Lender License/Registration 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. 5 days' notice should be provided for this change. There is no fee for a Change of Main Address.	NMLS

Complete	GA Mortgage Lender License/Registration 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. 5 days' notice should be provided for this change. There is no fee for an addition or modification of an Other Trade Name.	NMLS

Complete	GA Mortgage Lender License/Registration Deletion of Other Trade Name Amendment Items	Submitted via...
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Complete	GA Mortgage Lender License/Registration Deletion of Other Trade Name Amendment Items	Submitted via...
<input type="checkbox"/>	Deletion of Other Trade Name: Submit an ACN for a deletion an Other Trade Name through the Company Form (MU1) in NMLS. Same day notification is acceptable for deletion of an Other Trade Name.	NMLS

Complete	GA Mortgage Lender License/Registration Change of Legal Status Amendment Items	Submitted via...
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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).

<input type="checkbox"/>	<p>Change of Legal Status: Submit an ACN for a change of Legal Status within the Company Form (MU1) in NMLS. 5 days' notice must be provided for this change. There is no fee for a change in Legal Status unless there is a change in business structure. <u>Please note that a change in business structure (corporation to sole proprietor, etc. and a change in EIN) will require submission of a new application and Company MU1 form through NMLS.</u></p> <p>References to instance where a new company record must be created are found on pages 8-11 of the NMLS Policy Guidebook.</p>	NMLS
<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 if applicable, submit a State copy of the applicable documentation from the Georgia Secretary of State (e.g., Certificate of Incorporation, Certificate of Organization, Certificate of Authority for a Foreign Entity).</p>	<p>Upload in NMLS: under the Document Type <u>Formation Document</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p> <p>This document should be named <i>Formation Documentation [Date of Creation (MM-DD-YYYY)]</i>.</p>

Complete	GA Mortgage Lender License/Registration Addition or Modification of Executive Officers or Other Control Persons Amendment Items	Submitted via...
<input type="checkbox"/>	<p>Addition or Modification of Executive Officers or Other Control Persons: Submit an ACN for an addition or change in Executive Officers or Other Control Persons listed in the Company Form (MU1) in NMLS.</p> <p><i>If the submitted change(s) to the Executive Officers also results in a change in ownership for the entity, additional documents will be required as noted below in the Addition or Modification of Direct Owners/Indirect Owners Amendment</i></p>	NMLS

Complete	GA Mortgage Lender License/Registration Addition or Modification of Executive Officers or Other Control Persons Amendment Items	Submitted via...
	<u>section below.</u>	
<input type="checkbox"/>	FBI Criminal Background Check for MU2 Individual: \$36.25 per person.	NMLS (Filing submission)
<input type="checkbox"/>	<p>MU2 Individual FBI Criminal Background Check Requirements: Ultimate equitable owners, executive officers, and other persons with control are required to authorize an FBI criminal background check (CBC) through NMLS. A criminal background increases the difficulty of making a favorable finding on an application. The Department shall not issue a license if the applicant or any of its MU2/Control Persons has been convicted of a felony and did not obtain a pardon or other remedy pursuant to O.C.G.A. Section 7-1-1004(h).</p> <p>After authorizing an FBI criminal background check through the submission of the Company Form (MU1) and Individual Form (MU2), <u>you must schedule an appointment to be fingerprinted if new prints are required.</u></p> <p>See the Criminal Background Check section of the NMLS Resource Center for more information.</p> <p>Note: If you are able to ‘Use Existing Prints’ to process the FBI criminal background check, you DO NOT have to schedule an appointment. NMLS will automatically submit the fingerprints on file.</p>	NMLS
<input type="checkbox"/>	<p>State Background Check Authorization: Individuals identified as control persons (as defined above) listed on the Company Form (MU1) are required to upload an executed original copy of the <i>Background Check Authorization Form</i> consenting to a criminal history record check on the proposed control persons.</p> <p>Click here to access the Georgia Background Authorization form.</p> <p>Note: This is separate from the NMLS federal background check for the submission of the Individual Form (MU2).</p> <p>This document should be named <i>[State Abbreviation] – BC Authorization</i>.</p>	Upload in NMLS: under the Document Type State Background Check Authorization in the <i>Document Uploads</i> section of the Individual Form (MU2).
<input type="checkbox"/>	Credit Report: \$15 per control person.	NMLS (Filing submission)
<input type="checkbox"/>	Credit Report: Ultimate equitable owners, executive officers, and other persons with control are required to authorize a credit report through NMLS. Such individuals will be required to complete an Identity Verification Process (IDV) along with an individual attestation before a license request for your company can be filed through NMLS.	NMLS
<input type="checkbox"/>	Credit Report Explanations: Any credit report filed with this Department containing tax liens, judgments, unpaid child support, bankruptcies, and/or charged off accounts will likely cause the processing of the application to be delayed or possibly cause the application to be denied. Outstanding derogatory credit issues or bankruptcies, which have not been discharged, will require	Upload in NMLS: under the Document Type Credit Report Explanations in the <i>Document Uploads</i>

Complete	GA Mortgage Lender License/Registration Addition or Modification of Executive Officers or Other Control Persons Amendment Items	Submitted via...
	satisfactory explanation. This document should be named <i>Credit Report Explanations – Sub Name – Document Creation Date</i> .	section of the Individual Form (MU2).

Complete	GA Mortgage Lender License/Registration Addition or Modification of Direct Owners/Indirect Owners Amendment Items	Submitted via...
<input type="checkbox"/>	<p>Addition or Modification of Direct or Indirect Owners: Submit an ACN for an addition or change in Direct or Indirect Owners listed in the Company Form (MU1) in NMLS. 30 days' notice must be provided for this change.</p> <p>Change in Control/Ownership: Each new control person that is a Direct or Indirect Owner of 10% or more must be separately identified and included in the Direct Owners and Executive Officers and Indirect Owners sections of the NMLS Form MU1.</p> <p><i>Failure to submit a complete change in control/ownership application may subject the licensee to a violation fine or further action by the Department.</i></p>	NMLS
<input type="checkbox"/>	<p>Change in Control: \$500</p> <p>The Change in Control/Ownership fee should be paid through NMLS with an Agency Fee Invoice and is NOT REFUNDABLE. The Agency Fee Invoice will be initiated by our Department at the time we begin our review of ACN in NMLS.</p>	NMLS (Agency Fee Invoice)
<input type="checkbox"/>	<p>FBI Criminal Background Check for MU2 Individual: \$36.25 per person.</p>	NMLS (Filing submission)
<input type="checkbox"/>	<p>MU2 Individual FBI Criminal Background Check Requirements: When added to the Company Form (MU1), new control persons/owners of 10% or more are required to authorize an FBI criminal background check (CBC) through NMLS. A criminal background increases the difficulty of making a favorable finding on an application. The Department shall not issue a license if the applicant or any of its MU2/Control Persons has been convicted of a felony and did not obtain a pardon or other remedy pursuant to O.C.G.A. Section 7-1-1004(h).</p> <p>After authorizing an FBI criminal background check through the submission of the Company Form (MU1) and Individual Form (MU2), <u>you must schedule an appointment to be fingerprinted if new prints are required.</u></p> <p>See the Criminal Background Check section of the NMLS Resource Center for more information.</p> <p>Note: If you are able to 'Use Existing Prints' to process the FBI criminal background check, you DO NOT have to schedule an appointment. NMLS will automatically submit the fingerprints on file.</p>	NMLS

Complete	GA Mortgage Lender License/Registration Addition or Modification of Direct Owners/Indirect Owners Amendment Items	Submitted via...
<input type="checkbox"/>	<p>State Background Check Authorization: Individuals identified as control persons (as defined above) listed on the Company Form (MU1) are required to upload an executed original copy of the <i>Background Check Authorization Form</i> consenting to a criminal history record check on the proposed control persons.</p> <p>Click here to access the Georgia Background Authorization form.</p> <p>Note: This is separate from the NMLS federal background check for the submission of the Individual Form (MU2).</p> <p>This document should be named <i>[State Abbreviation] – BC Authorization</i>.</p>	<p>Upload in NMLS: under the Document Type <u>State Background Check Authorization</u> in the <i>Document Uploads</i> section of the Individual Form (MU2).</p>
<input type="checkbox"/>	<p>Credit Report: \$15 per control person.</p>	<p>NMLS (Filing submission)</p>
<input type="checkbox"/>	<p>Credit Report: Ultimate equitable owners, executive officers, and other persons with control are required to authorize a credit report through NMLS. Such individuals will be required to complete an Identity Verification Process (IDV) along with an individual attestation before a license request for your company can be filed through NMLS.</p>	<p>NMLS</p>
<input type="checkbox"/>	<p>Credit Report Explanations: Any credit report filed with this Department containing tax liens, judgments, unpaid child support, bankruptcies, and/or charged off accounts will likely cause the processing of the application to be delayed or possibly cause the application to be denied. Outstanding derogatory credit issues or bankruptcies, which have not been discharged, will require satisfactory explanation.</p> <p>This document should be named <i>Credit Report Explanations – Sub Name – Document Creation Date</i>.</p>	<p>Upload in NMLS: under the Document Type <u>Credit Report Explanations</u> in the <i>Document Uploads</i> section of the Individual Form (MU2).</p>
<input type="checkbox"/>	<p>Description of the Transaction: For changes in ownership, applicants should submit a written statement giving details of the nature and scope of the proposed acquisition/change in ownership and the anticipated closing date must be submitted related to this change type.</p> <p>This document should be named <i>ACN - [State Abbreviation] – [Document Type]</i>.</p>	<p>Upload in NMLS under the Document Type <u>ACN Related Documents</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p>
<input type="checkbox"/>	<p>Organizational Chart/Ownership Structure: Submit a chart showing (or a description which includes) the total ownership structure <u>before and after</u> the proposed change is effective of:</p> <ul style="list-style-type: none"> • Direct Owners • Indirect Owners • Subsidiaries and Affiliates of the applicant/licensee <p>These documents should be named <i>ACN - [State Abbreviation] – Pre-Change</i></p>	<p>Upload in NMLS: under <u>ACN Related Documents</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p>

Complete	GA Mortgage Lender License/Registration Addition or Modification of Direct Owners/Indirect Owners Amendment Items	Submitted via...
	<i>Organization Chart and ACN - [State Abbreviation] – Post-Change Organization Chart.</i>	
<input type="checkbox"/>	<p>Signed Sale Authorization: A Signed and notarized copy of the form by both the acquiring and selling parties must be submitted related to this change type. Click to download the Signed Sale Authorization form</p> <p>Note: Both parties to the transaction MUST SIGN and form must be notarized.</p> <p>This document should be named <i>ACN – [Document Type]</i>.</p>	Upload in NMLS: under the Document Type <u>ACN Related Documents</u> in the <i>Document Uploads</i> section of the Company Form (MU1).

Complete	GA Mortgage Lender License/Registration Addition or Modification of Affiliates/Subsidiaries Amendment Items	Submitted via...
<input type="checkbox"/>	Addition or Modification of Affiliates/Subsidiaries: Submit an ACN for an addition or change in Affiliates/Subsidiaries within the Company Form (MU1) in NMLS.	NMLS

Complete	GA Mortgage Lender License/Registration Change of Disclosure Question(s) Amendment Items	Submitted via...
<input type="checkbox"/>	Change of Disclosure Question(s): Submit an amendment for a change to Disclosure Question response(s) through the Company Form (MU1) in NMLS.	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>	Upload in NMLS in the <i>Disclosure Explanations</i> section of the Company Form (MU1) or Individual Form (MU2)
<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> <p>You may 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 may also upload a document (PDF) related to the</p>	NMLS

Complete	GA Mortgage Lender License/Registration Change of Disclosure Question(s) Amendment Items	Submitted via...
	explanation. See the Company Disclosure Explanations Quick Guide for instructions.	

REQUIREMENTS SUBMITTED OUTSIDE OF NMLS
No items are required to be submitted outside of NMLS for this license/registration at this time.