



NY Exempt Mortgage Loan Servicer Registration Amendment Checklist (Company)

CHECKLIST SECTIONS

- [General Information](#)
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GENERAL INFORMATION

Instructions

When making changes to your record in NMLS, the New York State Department of Financial Services (NY-DFS) requires advance notification for some changes, See the Checklist below for details. The following amendments require advance notification to the Department:

- **Change in Legal Name**
- **Change of Main Address**
- **Addition or Deletion of Other Trade Names**
- **Change in Legal Status**
- **Change of Control**

Note: For Licensed Mortgage Bankers and Registered Mortgage Brokers the **Change of Control and Change in Legal Status must** be submitted under the NY Mortgage Banker License or the NY Mortgage Broker Registration held by the entity.

The following amendment does not require advance notification to the Department. However, documents to facilitate approval must be provided within the timeframe prescribed by regulations.

- **Change of Executive Officers, Directors or Qualifier**

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 Mortgage Banking licensing staff by via email to mortgage.exempt@dfs.ny.gov for additional assistance.

*For U.S. Postal Service and Overnight Delivery:
New York State Department of Financial Services
Attention: Exempt Mortgage Company Processing
Unit
One State Street
New York, NY 10004*

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.

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.

NMLS ID Number	
Licensee Legal Name	

Complete	NY Exempt Mortgage Loan Servicer Registration Change of Legal Name Amendment Items	Submitted via...
<input type="checkbox"/>	<p>Change of Legal Name: Submit an ACN for a change of Legal Name through the Company Form (MU1) in NMLS. 60 Days notice must be provided for this change.</p> <p>Request to change the legal corporate name or the fictitious name of a licensee is subject to availability of such name in the State of New York. Pursuant to New York Business Corporation Law, the prior approval of the Superintendent is required if the amended corporate or fictitious name includes the following restricted words: Loan, Mortgage, Finance, Investment and Banker.</p> <p>Consult the Department’s website for information on obtaining word approval</p>	NMLS
Note	<p>Change of Legal Name Fee: \$0 per license</p> <p>Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE.</p>	N/A
<input type="checkbox"/>	<p>Surety Bond Rider: Upload and mail an original NY Mortgage Loan Servicer surety bond rider that reflects the entity’s new legal name. The name of the principal insured on the bond must match exactly the full legal name of applicant, including any Other Trade Names.</p>	<p>Upload in NMLS: under the Document Type <u>Surety Bond</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p> <p>AND</p> <p>Mail to: the New York Department of Financial Services</p>
<input type="checkbox"/>	<p>Formation Documents: Formation Documents must be submitted related to this change type.</p> <p>General Partnership:</p> <ul style="list-style-type: none"> • Provide a certificate evidencing name change from the appropriate county clerk’s office. Note: The certificate must have the county clerk’s receipt affixed to the document. <p>All other types of formation:</p> <ul style="list-style-type: none"> • Filing receipt from the New York Secretary of State evidencing approval of the name change • Recorded or certified copy of the Certificate of Amendment filed with the New York Secretary of State. • Entities formed outside New York State must also provide a certified copy of the certificate of amendment from its home state. 	<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>AND</p> <p>Mail to: New York Department of Financial Services – See address above</p>

Complete	NY Exempt Mortgage Loan Servicer Registration Change of Legal Name Amendment Items	Submitted via...
<input type="checkbox"/>	<p>Cover Letter: Submit a cover letter on company letterhead signed by an owner, officer or designated contact on file with the Department. The letter must address the requested changes and the authority of the individual submitting such request.</p> <p>The Department will not process a Change in Legal Name without a cover letter signed by an authorized officer of the company.</p>	<p>Mail to: New York Department of Financial Services – See address above</p>

NMLS ID Number	
Licensee Legal Name	

Complete	NY Exempt Mortgage Loan Servicer Registration Change of Main Address Amendment Items	Submitted via...
<input type="checkbox"/>	<p>Change of Main Address: Submit an ACN for a change of Main (Corporate) Address through the Company Form (MU1) in NMLS. 30 Days notice must be provided for this change.</p> <p>Note: The Department can deny your request to change the address of the principal location if it determines that (1) the requested address is currently registered to another entity; (2) the requested location was occupied by another entity less than six (6) months prior to your application; or (3) supplemental documents are not properly executed.</p>	NMLS
Note	<p>Change of Main Address: \$0 per license</p> <p>Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE.</p>	N/A
<input type="checkbox"/>	<p>Surety Bond Rider: Upload and mail an original NY Mortgage Loan Servicer surety bond rider that reflects the entity’s new main address. The name and address of the principal insured on the bond must match exactly.</p>	<p>Upload in NMLS: under the Document Type <u>Surety Bond</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p> <p>AND</p> <p>Mail to: New York Department of Financial Services – See address above</p>
<input type="checkbox"/>	<p>Leases: Upload copies of leases, subleases and/or lease assignment, if applicable, for the proposed new location. Leases and/or subleases, if applicable, must meet the following criteria:</p> <ul style="list-style-type: none"> Fully executed in the name of the applicant and signed by an officer of the applicant. Signature line must include printed name and title of the individual officer executing the document. Lease terms must be for at least 6 months. Month-to-month leases and License Agreements are not accepted All subleases or lease assignments must be accompanied by a fully executed copy of the main lease. If required by the main (master) lease, a copy of the landlord consent to the sublease or lease assignment must be submitted. 	<p>Upload in NMLS: under the Document Type <u>Additional Requirements</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p>

Complete	NY Exempt Mortgage Loan Servicer Registration Change of Main Address Amendment Items	Submitted via...
	<ul style="list-style-type: none"> Unless the applicant occupies the entire building or floor, the lease and/or sublease must include the suite number. <p>Note: Applicants seeking to license residential property as the principal office or main location must submit a certified copy of the property deed along with zoning permissions</p>	
<input type="checkbox"/>	<p>Cover Letter: Submit a cover letter on company letterhead signed by an owner, officer or designated contact on file with the Department. The letter must include a statement that the licensee is relocating the principal office and the date such move is expected to become effective. Both addresses must be clearly stated in the cover letter, including suite number.</p> <p>RELOCATIONS OUTSIDE NEW YORK STATE. If you are moving the principal office from a location within the State of New York to a location outside the State of New York you must also provide a brief statement summarizing the reason for relocating the office outside the State of New York. The summary should include discussion of business plan and primary means of conducting business with New York State consumers (e.g. internet, telephone etc.). This information can be incorporated into the cover letter.</p> <p>.</p>	<p>Mail to: New York Department of Financial Services – See address above</p>

NMLS ID Number	
Licensee Legal Name	

Complete	NY Exempt Mortgage Loan Servicer Registration Addition or Modification of Other Trade Name Amendment Items	Submitted via...
<input type="checkbox"/>	<p>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. 60 Days must be provided for this change.</p> <p>Request to add an assumed name is subject to availability of such name in the State of New York. Pursuant to New York Business Corporation Law, the prior approval of the Superintendent is required if the name includes the following restricted words: Loan, Mortgage, Finance, Investment and Banker. Consult the Department’s website for information on obtaining word approval</p>	NMLS
Note	<p>Addition of Other Trade Name \$0 per license.</p> <p>Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE.</p>	N/A
<input type="checkbox"/>	<p>Surety Bond Rider: Upload and mail an “Original” NY Mortgage Loan Servicer surety bond rider that reflects the addition of the Other Trade Name (d/b/a or assumed name). The entity’s legal name and any proposed d/b/a on the bond must match exactly.</p>	<p>Upload in NMLS: under the Document Type <u>Surety Bond</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p> <p>Mail to: New York Department of Financial Services – See address</p>
	<p>Cover Letter: Submit a cover letter on company letterhead signed by an owner, officer or designated contact on file with the Department. The letter must clearly state the proposed trade name and address the following:</p> <ul style="list-style-type: none"> • The ownership of the proposed trade name (i.e. owned by requesting entity or individual, affiliate relationship, joint venture, or separately incorporated entity); • Whether the trade name is similar to names currently utilized by other mortgage companies, an existing corporate entity or internet domain, and • If the trade name is established pursuant to an affiliate business arrangement, joint venture, Series LLC or co-brokering arrangement, please provide the names of the principal owners of the business arrangement, joint venture, Series LLC or co-brokering arrangement. 	

Complete	NY Exempt Mortgage Loan Servicer Registration Addition or Modification of Other Trade Name Amendment Items	Submitted via...
<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>Upload copies of the following documents:</p> <ul style="list-style-type: none"> • Filing receipt from the New York Secretary of State evidencing approval of the assumed name. • Recorded or certified copy of the Certificate of Assumed Name filed with the Secretary of State. <p>Note: You must provide the coversheet identifying counties you are authorized to use the assumed name.</p> <ul style="list-style-type: none"> • General Partnerships must provide the approved “Doing Business As Certificate” from the appropriate county clerk’s office. The certificate must have the county clerk’s receipt affixed to the document. <p>Note: If the General Partnership intends to conduct business in multiple counties, please provide an approved certificate from each county in which you intend to conduct business.</p>	<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).</p>

NMLS ID Number	
Licensee Legal Name	

Complete	NY Exempt Mortgage Loan Servicer Registration 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. 60 Days must be provided for this change. 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
<input type="checkbox"/>	<p>Certificate of Discontinuance: A Certificate of Discontinuance must be submitted related to this change type.</p> <ul style="list-style-type: none"> • Corporations, limited liability companies, and limited partnerships seeking to discontinue the use of an assumed name (d/b/a) must provide a recorded or certified certificate of discontinuance from the Secretary of State. • General Partnerships must provide a certificate of discontinuance filed with the respective county clerk’s office. You must provide a certificate for each county in which you wish to discontinue use of the assumed name (d/b/a) 	<p>Upload in NMLS: under the Document Type [Document Upload Type] in the <i>Document Uploads</i> section of the Company Form (MU1).</p> <p>AND</p> <p>Mail to: New York Department of Financial Services – See address above</p>
<input type="checkbox"/>	<p>Surety Bond Rider: Upload and mail an “Original” NY Mortgage Loan Servicer surety bond rider that reflects the deletion of the Other Trade Name (d/b/a or assumed name). The entity’s legal name and any proposed d/b/a on the bond must match exactly.</p>	<p>Upload in NMLS: under the Document Type Surety Bond in the <i>Document Uploads</i> section of the Company Form (MU1).</p> <p>Mail to: New York Department of Financial Services – See address</p>
<input type="checkbox"/>	<p>Cover Letter: Submit a cover letter on company letterhead signed by an owner, officer or designated contact on file with the Department. The letter must clearly state the company is discontinuing use of the trade name and the effective date of discontinuance.</p>	<p>Mail to: New York Department of Financial Services – See address</p>

NMLS ID Number	
Licensee Legal Name	

Complete	NY Exempt Mortgage Loan Servicer 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. 60 Days must be provided for this change.</p> <p>Note: A Change in Legal Status may require the company to surrender its exempt registration.</p>	NMLS
<input type="checkbox"/>	<p>Formation Document: Formation documents must be submitted related to this change type.</p> <p>Upload copies of the following documents:</p> <ul style="list-style-type: none"> • Recorded or certified copy of the Certificate of Amendment filed with the Secretary of State in the company’s original home state and the state in which the company was reincorporated, if different. • Recorded or Certified copies of Conversion documents filed with the Secretary of State of the company’s original home state and state in which the company was reincorporated, if different • Certified Good Standing Certificate reflecting all changes to the company’s name and corporate structure from the original date of formation to the date of reincorporation. 	<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>AND</p> <p>Mail to: New York Department of Financial Services – See address above.</p>
<input type="checkbox"/>	<p>Cover Letter: Submit a cover letter on company letterhead signed by an owner, officer or designated contact on file with the Department. The letter must outline the change in legal status and whether the licensee retains the original date of incorporation and tax identification number.</p>	<p>Mail to: New York Department of Financial Services – See address above.</p>
	<p>Legal Opinion: Conversions - If the change in legal status was accomplished through a conversion, the company must provide an opinion from an outside attorney on the corporate conversion laws of the state in which the company has been reincorporated or converted.</p>	<p>Mail to: New York Department of Financial Services – See address above.</p>

NMLS ID Number	
Licensee Legal Name	

Complete	NY Exempt Mortgage Loan Servicer Addition of Modification of Direct or Indirect Owners Amendment Items	Submitted via...
<input type="checkbox"/>	<p>Addition or Modification of Direct or Indirect Owners: Submit an ACN for a change in the direct and indirect ownership (“Change of Control”) within the Company Form (MU1) in NMLS. 90 Days notice must be provided for this change.</p> <p>Under New York Banking Law, <u>a control person is any individual or entity who directly or indirectly owns 10 percent or more of the voting stock, or equivalent interest, of the applicant, or possesses the power to direct or cause the direction of the management or policies of the registrant.</u></p> <p>All individuals or entities, that meet the definition of control person must be reported to the Department irrespective of whether such individual or entity is listed in NMLS.</p> <p>Section 594-b of the New York Banking Law, makes it unlawful, except with the prior approval of the Superintendent for any action to be taken which results in the change of control of a licensee.</p>	<p>NMLS</p>
	<p>Document Submission for Addition or Modification of Direct or Indirect Owners: Submit documentation listed on the respective Amendment checklist for the license or registration identified below.</p> <p>Note: Licensed Mortgage Bankers and Registered Mortgage Brokers – must submit the Change of Control under the NY Mortgage Banker License or the NY Mortgage Broker Registration held by the entity.</p> <p>Non-profit organizations, must submit the Change of Control under the Exempt Mortgage Banker License or Exempt Mortgage Broker Registration.</p>	<p>Follow instructions on the respective Banker or Broker Amendment Checklist</p>

NMLS ID Number	
Licensee Legal Name	

Complete	NY Exempt Mortgage Loan Servicer Registration Addition or Modification of Executive Officers and Directors Amendment Items	Submitted via...
<input type="checkbox"/>	<p>Addition or Modification of Executive Officers and Directors:</p> <p>No advance change notice is required for a change in Executive Officer or Directors. However, pursuant to Part 418.8(b) of the Superintendent’s Regulations Registrants are required to notify the Superintendent within 10 days after a change in any of the directors or three senior most executive officers or, if different, any officer(s) in charge of the New York operations of the servicer.</p> <p>Note: Licensed Mortgage Bankers and Registered Mortgage Brokers – must submit <u>Changes in company level Executive Officers and Directors</u> under the NY Mortgage Banker License or the NY Mortgage Broker Registration held by the entity.</p> <p>Non-profit organizations, must submit Changes in Organization level Executive Officers and Directors under the Exempt Mortgage Banker License or Exempt Mortgage Broker Registration.</p> <p>Below document requirements apply to changes in officers overseeing the company’s Mortgage Loan Servicing activities.</p>	NMLS
<input type="checkbox"/>	<p>Credit Report for Control Persons: \$15 per control person.</p>	NMLS (Filing submission)
<input type="checkbox"/>	<p>Credit Report: Individuals in a position of control are required to authorize a credit report through NMLS. 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>	NMLS
Note	<p>MU2 Individual FBI Criminal Background Check Not Required Through NMLS: Officers in charge of Mortgage Loan Servicing activities are NOT required to authorize a FBI criminal background check (CBC) through NMLS.</p>	N/A
<input type="checkbox"/>	<p>Background Reports and Background Report Certification: A Background Report and Background Certification Form must be submitted related to this change type.</p> <p>The Registrant must submit the Background Report and Certification Form for the Qualifying Individual (Qualifier) and any individual designated overall in charge of the company’s mortgage loan servicing operations, if such individual(s) are different from the Executive Officer(s) or Directors listed on</p>	<p>Mail to: New York Department of Financial Services – See address above.</p>

Complete	NY Exempt Mortgage Loan Servicer Registration Addition or Modification of Executive Officers and Directors Amendment Items	Submitted via...
	<p>the Mortgage Banker License or Mortgage Broker Registration.</p> <p>Access Background Report Certification Form on the Department’s website.</p> <p>Background investigation reports must be provided directly to the Department of Financial Services by the private investigation company.</p> <p>For detail instructions regarding the specific components of New York State required background report visit our website: Background Report Instructions.</p>	
<input type="checkbox"/>	<p>Fingerprint Cards and Fingerprint Certification Form: The Qualifier and any individual designated in charge of the mortgage loan servicing operations, if different from one of the top three Executive Officer or Director of the company, must submit two blue fingerprint cards issued by the Federal Bureau of Investigation (FBI).</p> <p>Mortgage Banking only accepts blue Fingerprint cards requested from NYDFS. Cards can be requested via e-mail at fingerprintrequest@dfs.ny.gov.</p> <p>Please see the Department’s website for New York Fingerprint Instructions</p>	<p>Mail to: New York Department of Financial Services – See address above.</p>
<input type="checkbox"/>	<p>Litigation Affidavit: Provide a litigation affidavit for the Qualifier and any individual in charge of the mortgage loan servicing operations, if different from one of the top three Executive Officer or Director of the company.</p> <p>Download form Litigation Affidavit</p>	<p>Mail to: New York Department of Financial Services – See address above.</p>
	<p>Personal Financial Statement: Submit a Personal Financial Statement for the Qualifier and any individual in charge of the mortgage loan servicing operations, if different from one of the top three Executive Officer or Director of the company.</p> <p>Download form Personal Financial Statement</p>	<p>Mail to: New York Department of Financial Services – See address above.</p>
	<p>Personal Questionnaire: Provide a personal questionnaire the Qualifier and any individual in charge of the mortgage loan servicing operations, if different from one of the top three Executive Officer or Director of the company.</p> <p>Download form at Personal Questionnaire</p>	<p>Mail to: New York Department of Financial Services – See address above.</p>
	<p>Authority to Release Information: The Qualifier and any individual in charge of the mortgage loan servicing operations, if different from one of the top three Executive Officer or Director of the Company must submit the Authority to Release Form.</p>	<p>Mail to: New York Department of Financial Services – See address above.</p>

NMLS ID Number	
Licensee Legal Name	

Complete	NY Exempt Mortgage Loan Servicer Registration Addition or Modification of Qualifying Individual Amendment Items	Submitted via...
<input type="checkbox"/>	<p>Addition or Modification of Qualifying Individual: Submit an ACN for an addition or change in Qualifying Individuals within the Company Form (MU1) in NMLS. 90 Days notice must be provided for this change.</p> <p>The prior approval of the Department of Financial Services is required for changes in qualifiers.</p> <p>Non-profit Organizations must consult the Department prior to filing an addition or modification of Qualifying Individuals.</p>	NMLS
Note	<p>Change of Qualifying Individual: \$0 per license</p> <p>Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE.</p>	N/A
<input type="checkbox"/>	<p>Credit Report for Control Persons: \$15 per control person.</p>	NMLS (Filing submission)
<input type="checkbox"/>	<p>Credit Report: Individuals in a position of control are required to authorize a credit report through NMLS. 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>	NMLS
Note	<p>MU2 Individual FBI Criminal Background Check Not Required Through NMLS: Qualifying Individuals are NOT required to authorize a FBI criminal background check (CBC) through NMLS.</p>	N/A
<input type="checkbox"/>	<p>Qualifying Experience: The designated Qualifying Individual must be an owner, general partner, trustee or executive officer of the applicant. The individual must have five (5) years of independently verifiable experience in the business of servicing mortgage loans or similar servicing experience.</p> <p>The Department does not accept verification of employment from the employer of the proposed Qualifying Individual. The minimum standards for professional references verifying the Qualifying Individuals experience is detailed in the Background Report Instructions.</p> <p>Professional References, unless included in the Background investigation reports, <u>must be provided directly to the Department of Financial Services by the individual providing such reference.</u></p> <p>ADDITIONAL REQUIRED DOCUMENTS ARE DETAILED IN THE ADDITION OR MODIFICATION OF EXECUTIVE OFFICERS AND DIRECTORS SECTION.</p>	

Complete	NY Exempt Mortgage Loan Servicer 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"/>	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. See the Company Disclosure Explanations Quick Guide for instructions.	Upload in NMLS in the <i>Disclosure Explanations</i> section of the Company Form (MU1) or Individual Form (MU2).
<input type="checkbox"/>	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. You may “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 explanation. See the Company Disclosure Explanations Quick Guide for instructions.	NMLS