



NY Exempt Mortgage Banker License-MH Amendment Checklist (Company)

CHECKLIST SECTIONS

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GENERAL INFORMATION

Instructions

When making changes to your record in NMLS, New York State Department of Financial Services 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 *New York State Department of Financial Services: Attention: Exempt Mortgage Banker Processing Unit* licensing staff by sending your questions via email to Mortgage.Banker@dfs.ny.gov for additional assistance.

For U.S. Postal Service:

*New York State Department of Financial Services
Attention: Exempt Mortgage Banker 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.

AMENDMENTS

- [Change of Legal Name](#)
- [Change of Main Address](#)
- [Addition or Modification of Other Trade Name](#)
- [Deletion of Other Trade Name](#)
- [Change of Legal Status](#)
- [Addition or Modification of Affiliates/Subsidiaries](#)
- [Addition or Modification of Direct Owners/Executive Officers](#)
- [Addition or Modification of Indirect Owners](#)
- [Addition or Modification of Qualifying Individuals](#)
- [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.

DO NOT SEND THIS CHECKLIST TO THE DEPARTMENT

Complete	NY Exempt Mortgage Banker License-MH 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>Note: Request to change the legal corporate name or the fictitious name of an entity is subject to the 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, Trust and Bank. 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>Secretary of State/Municipality Documentation: 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 name change; Recorded or certified copy of the Certificate of Amendment filed with the Secretary of State; Foreign Corporations must also provide a certified copy of the certificate of amendment from its home state <p>Note: General Partnership must provide a certificate evidencing name change from the appropriate county clerk's office.</p> <p>Note: The certificate must have the county clerk's receipt affixed to the document.</p> <p>This document should be named <i>[[State prefix] Certificate of Authority OR [State prefix] 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> <p>Note: General Partners must provide original documents outside of NMLS.</p>
<input type="checkbox"/>	<p>Surety Bond Rider: Submit an "original" Surety Bond rider for that reflects the change of name. This document must be sent to the address listed above.</p>	Mail to NY
<input type="checkbox"/>	<p>Cover Letter: Submit a cover letter on company letterhead signed by an owner, executive officer or designated contact on file with the Department. The letter must include a statement that the company is or amending its name, effective date and the authority of the individual submitting the request. This document must be sent to the address listed above</p>	Mail to NY

Complete	NY Exempt Mortgage Banker License-MH 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 if it determines that (1) the requested address is currently registered to another entity; or (2) was occupied by another entity less than six months prior to your application; or (3) supplemental documents are not properly executed.</p>	<p>NMLS</p>
<p>Note</p>	<p>Change of Main Address: \$0 per license</p> <p>Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE.</p>	<p>N/A</p>
<input type="checkbox"/>	<p>Lease Agreement Documents: Provide copies of leases, subleases and/or lease assignment, if applicable, for the proposed branch</p> <p>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. • 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. • Unless the applicant occupies the entire building or floor, the lease and/or sublease must include the suite number. <p>Note: If the proposed location is under an Executive Office Suite arrangement, the lease or sublease must grant exclusive use of the proposed office space to the registrant.</p>	<p>Mail to NY</p>
<input type="checkbox"/>	<p>Surety Bond Rider: Submit an "original" Surety Bond rider for that reflects the change of address, including suite number. This document must be sent to the address listed above.</p>	<p>Mail to NY</p>
<input type="checkbox"/>	<p>Cover Letter: Submit a cover letter on company letterhead signed by an owner, executive officer or designated contact on file with the Department. The letter must include a statement that the company is relocating its 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. This document must be sent to the address listed above.</p>	<p>Mail to NY</p>

Complete	NY Exempt Mortgage Banker License-MH 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' notice must be provided for this change.</p> <p>Note: Request to add an assumed (trade) name is subject to the 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, Trust and Bank. 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>Trade Name/Assumed Name Registration Certificates: Trade Name/Assumed Name Registration Certificates must be submitted related to this change type. This document should be named <i>[State-License Type] Trade Name – Assumed Name</i>.</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>
<input type="checkbox"/>	<p>Secretary of State/Municipality Documentation: 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 (trade) name • Recorded or certified copy of the Certificate of Assumed Name filed with the Secretary of State. You must provide the coversheet identifying counties you are authorized to use the assumed name; • 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 you intend to conduct business in multiple counties, please provide an approved certificate for 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> <p>Note: General Partners must send original documents outside of NMLS.</p>
<input type="checkbox"/>	<p>Cover Letter: Submit a cover letter on company letterhead signed by an owner, executive officer or designated contact on file with the Department. The letter must address usage of the Other Trade Name, effective date and the similarity between such trade name and the name of any other existing entity regulated by the Department or engaging in mortgage loan origination activities. This document must be sent to the address listed above.</p>	Mail to NY

Complete	NY Exempt Mortgage Banker License-MH Deletion of Other Trade Name Amendment Items	Submitted via...
<input type="checkbox"/>	<p>Deletion of Other Trade Name: Submit an amendment for deletion of an Other Trade Name through the Company Form (MU1) in NMLS.</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> <p>An ACN is not required for the Deletion of an Other Trade Name. However, discontinuance of Other Trade Names must be reported to the Department within 10 days of such discontinuance</p>	NMLS
<input type="checkbox"/>	<p>Secretary of State/Municipality Documentation: Upload copies of the following documents:</p> <ul style="list-style-type: none"> • Recorded or certified copy of the 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 (trade) name. 	<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> <p>Note: General Partners must send original documents outside of NMLS</p>
<input type="checkbox"/>	<p>Cover Letter: Submit a cover letter on company letterhead signed by an owner, executive officer or designated contact on file with the Department. The letter must address discontinuance of the Other Trade Name and the effective date. This document must be sent to the address listed above.</p>	Mail to NY

Complete	NY Exempt Mortgage Banker License-MH 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"/>	<p>Change of Legal Status: Submit an ACN for a change of Legal Status within the Company Form (MU1) in NMLS. 60 days' notice must be provided for this change.</p> <p>Note: Change in Legal Status may require submission of a new application for exemption from the licensing or registration requirements.</p>	<p>NMLS</p>
<input type="checkbox"/>	<p>Secretary of State/Municipality Documentation: 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 of the licensee's original home state and the state in which the licensee has reincorporated, if different/ • Recorded or certified copies of Conversion documents filed with the Secretary of State of the licensee's original home state and the state in which the licensee reincorporated, if different. <p>Note: Secretary of State document submitted must evidence that the newly established entity retains the original date of incorporation of the pre-existing licensee. Failure to provide documents demonstrating a continuance of corporate existence will result in a determination that a new application for exemption is required.</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>
<input type="checkbox"/>	<p>Cover Letter: Submit a cover letter on company letterhead signed by an owner, executive officer or designated contact on file with the Department. The letter must address the change in legal status and include a statement that the conversion or change does not result in the creation of a new corporate entity. This document must be sent to the address listed above.</p>	<p>Mail to NY</p>

Complete	NY Exempt Mortgage Banker License-MH Addition or Modification of Affiliates/Subsidiaries Amendment Items	Submitted via...
<input type="checkbox"/>	Addition or Modification of Affiliates/Subsidiaries: Submit an amendment for an addition or change in Affiliates/Subsidiaries within the Company Form (MU1) in NMLS.	NMLS

Complete	NY Exempt Mortgage Banker License-MH Addition or Modification of Direct Owners/Executive Officers Amendment Items	Submitted via...
<input type="checkbox"/>	Addition or Modification of Direct Owners/Executive Officers: Submit an amendment for an addition or change in Direct Owners/Executive Officers within the Company Form (MU1) in NMLS.	NMLS
Note	Credit Report: Credit Reports and authorizations for credit report through NMLS are not required.	N/A
Note	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.	N/A

Complete	NY Exempt Mortgage Banker License-MH Addition or Modification of Indirect Owners Amendment Items	Submitted via...
<input type="checkbox"/>	Addition or Modification of Indirect Owners: Submit an amendment for an addition or change in Indirect Owners within the Company Form (MU1) in NMLS.	NMLS
Note	Credit Report: Credit Reports and authorizations for credit report through NMLS are not required.	N/A
Note	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.	N/A

Complete	NY Exempt Mortgage Banker License-MH Addition or Modification of Qualifying Individual Amendment Items	Submitted via...
<input type="checkbox"/>	Addition or Modification of Qualifying Individual: Submit an amendment for an addition or change in Qualifying Individuals within the Company Form (MU1) in NMLS.	NMLS
Note	Change of Qualifying Individual: \$0 per license Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE.	N/A
Note	Credit Report: Credit Reports and authorizations for credit report through NMLS are not required.	N/A
Note	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.	N/A
<input type="checkbox"/>	Verification of Experience: Provide a resume for the individual designated to serve as the Qualifying Individual (the “Qualifier”) in charge of the applicant’s loan origination activities or having oversight of the applicant’s mortgage loan originators, processors and underwriters. Also submit a reference from a third-party lender or law firm familiar with the applicant’s loan origination activities verifying the Qualifier’s experience. This document should be named <i>[Document Type] – License Name</i> .	Upload in NMLS: under the Document Type <u>Verification of Experience</u> in the <i>Document Uploads</i> section of the Individual Form (MU2).

Complete	NY Exempt Mortgage Banker License-MH 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 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 explanation. See the Company Disclosure Explanations Quick Guide for instructions.	NMLS