



## Branch Amendments Agency Requirements



# NEW YORK STATE MORTGAGE LOAN SERVICER BRANCH REGISTRATION

## Instructions

This document includes instructions on how to complete the requirements for amending a Mortgage Loan Servicer (“Registrant”) Branch License with the New York State Department of Financial Services (the “Department”).

Registrants are required to provide the Department with advance notification for certain changes made to the company’s record in NMLS, see checklist below for details. The checklist below provides instructions and requirements for filing Advance Change Notice through the NMLS, as well as those documents for which originals must be mailed to the Department.

The following amendments require advance notification to the Department:

- Change of Branch Address

## Fees

The Department does not charge amendment fees for the MTG Loan Servicer Branch Registration(s).

## Helpful Resources

- [Branch \(MU3\) Quick Guide](#)
- [Document Uploads Quick Guide](#)
- [Document Upload Descriptions and Examples](#)

## How to submit Agency-Specific documents

1. If you are required to upload document(s) on NMLS for an Advance Change Notice: In the NMLS document upload section; you must select Advance Change Notice for document type. If there isn’t a document type available for a specific Advance Change Notice event you must mail document(s) directly to the **New York State Department of Financial Services**.
2. Documents notarized outside New York State must be accompanied by a certification from the Secretary of State or county clerk authenticating the notary’s signature.
3. Please note, the Registrant’s NMLS Identification Number for company and/or branch office, as applicable, must be included on every document submitted to the Department.
4. If you are required to provide document(s) outside of NMLS, You must mail the document(s) within five (5) business days to the following address:

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

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

FILED IN NMLS	SENT TO NY DEPT OF FINANCIAL SERVICES	NOT APPLICABLE	REQUIRED ADVANCE CHANGE NOTICE
<b>CHANGE OF BRANCH ADDRESS</b>			
<input type="checkbox"/>	N/A	N/A	<p>Submit an ACN for a change of the Branch Address through the Branch (MU3) Form through NMLS. <b>30 Days'</b> notice must be given for this change.</p> <p>If you are changing branch manager simultaneously with the requested change of address, you must provide the jurisdiction specific documents required for a "Change in Branch Manager."</p> <p><b>Note:</b> Registrations will not be issued for residential properties used primarily as the home of an employee of the company. Also, 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) branch manager is employed by another company; or (4) supplemental documents are not properly executed.</p>
N/A	<input type="checkbox"/>	N/A	<p><b>COVER LETTER:</b> 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 registrant is relocating the branch office and the date such move is expected to become effective. Both addresses, including suite number must be clearly stated in the cover letter.</p> <p>If the branch manager is changing simultaneously also, include information on the branch manager's responsibilities.</p> <p>This information should be sent to the address listed above.</p>
<input type="checkbox"/>	N/A	N/A	<p><b>LEASES:</b> Each applicant must upload copies of leases, subleases or lease assignments, if applicable, for the proposed branch. The Department does not license or register residential addresses as branch locations. 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. Month-to-month leases and license agreements are not accepted;</li> </ul>

			<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 letter; and</li> <li>• Any additional information the Department requests.</li> </ul> <p><b>Note:</b></p> <p>(1) If the lease and/or sublease contain a 30 days termination clause, the Department will interpret it as a month-to-month lease.</p> <p>(2) 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><input type="button" value="Upload"/> this document as the "Advance Change Notice" document type in the <i>Document Uploads</i> section of the Branch (MU3) Form.</p>
N/A	<input type="checkbox"/>	N/A	<p><b>PHOTOGRAPHS:</b> Provide interior and exterior photographs of the proposed location. Exterior photographs must reflect the building address and capture a majority of the building's front exterior.</p> <p>This information should be sent to the address listed above.</p>
N/A	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>OUT OF STATE BRANCH LOCATIONS:</b> If the proposed branch office is located outside the State of New York, provide a written description of how the proposed branch will transact business with New York consumers. If the internet will be used, please provide the domain name.</p> <p>This information should be sent to the address listed above.</p>
<b>CHANGE IN BRANCH MANAGER</b>			
<input type="checkbox"/>	N/A	<input type="checkbox"/>	<p>An ACN is not required for a change of the branch manager. However, all such changes must be communicated to the Department within <b>10 days</b> of such change.</p>
N/A	<input type="checkbox"/>	N/A	<p><b>COVER LETTER:</b> 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 a new branch manager has been designated. Also, include the NMLS number for the respective branch office and the address of the branch office.</p> <p>You must include information on the branch manager's</p>

			responsibilities.  This information should be sent to the address listed above.
N/A	<input type="checkbox"/>	N/A	<b>BRANCH MANAGER RESUME:</b> Provide a resume detailing the branch manager's supervisory experience in overseeing mortgage loan servicing functions or similar loan servicing functions and processes.  This information should be sent to the address listed above.
<input type="checkbox"/>	N/A	<input type="checkbox"/>	<b>DISCLOSURE QUESTIONS:</b> Provide complete details of all events or proceedings for any "Yes" answer to any of the disclosure questions and upload a copy of any applicable orders or documents.

**WHO TO CONTACT** - For questions concerning a mortgage loan servicer branch 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.