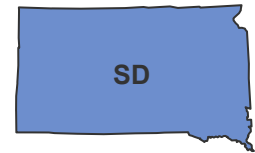




## Company Amendments Agency Requirements



### SOUTH DAKOTA MORTGAGE LENDER LICENSE

#### Instructions

**When making changes to your record in NMLS South Dakota requires advance notification for some changes, see checklist below for details, make the changes in NMLS as of the effective date and submit supporting documentation as instructed in the checklist below.**

#### Fees

1. South Dakota collects amendment fees for the following changes through a separate invoice in NMLS after review of filing:  
Change of Ownership – \$500.00
2. All fees collected through NMLS ARE NOT REFUNDABLE.

#### How to submit Agency specific documents

1. If you are required to upload document(s) on NMLS for an Advance Change Notice:
  - a. In the NMLS document upload section; you must select Advance Change Notice for document type.
  - b. Documents required to be uploaded through Advance Change Notice are considered proposed documents. You will be required to upload final documents in the NMLS document upload section under the appropriate document type on the effective date. If there isn't a document type available for a specific Advance Change Notice event, you must mail document(s) directly to the South Dakota Division of Banking.
2. If you are required to upload documents for an amendment that doesn't require Advance Change Notice:
  - a. In the NMLS document upload section, select the applicable document type.
3. All Control Persons must undergo a state and federal criminal background check. South Dakota uses state specific fingerprint cards for their state criminal background investigation which are mailed to the contact person once the amendment filing is received through NMLS. Generic cards cannot be used and will not be accepted.
4. Jurisdiction-specific requirements should be completed first as identified on the checklist below as document(s) must be uploaded in NMLS within 5 business days of the electronic submission of your application through the NMLS.

U.S. Postal Service or Overnight Delivery:

South Dakota Division of Banking  
1601 N Harrison Avenue, Suite 1  
Pierre, SD 57501

NMLS Unique ID Number: \_\_\_\_\_

Applicant Legal Name: \_\_\_\_\_

FILED IN NMLS	NOT APPLICABLE	REQUIRED ADVANCE CHANGE NOTIFICATION
<input type="checkbox"/>	<input type="checkbox"/>	<b>CHANGE OF LEGAL NAME.</b> Submit an ACN for a Change of Legal Name through the Company (MU1) form through NMLS. A 30-day notice must be given for this change.
<input type="checkbox"/>	<input type="checkbox"/>	<b>DOCUMENT REQUIRED FOR CHANGE OF LEGAL NAME:</b> Upload copies of the following documents: <ul style="list-style-type: none"> <li>• Company or Board approval of the legal name change</li> </ul>
<input type="checkbox"/>	<input type="checkbox"/>	<b>ADDITION OR MODIFICATION OF DIRECT OWNERS/EXECUTIVE OFFICERS.</b> Submit an ACN for an addition or change in Direct Owners/Executive Officers within the Company (MU1) Form through NMLS. A 30-day notice must be given for this change. Note: Control Persons must also be reported on the Individual (MU2) Form.
<input type="checkbox"/>	<input type="checkbox"/>	<b>DOCUMENT REQUIRED FOR ACN OF ADDITION OR MODIFICATION OF DIRECT OWNERS/EXECUTIVE OFFICERS:</b> Upload copies of the following documents: <ul style="list-style-type: none"> <li>• Pre and Post organization charts (both company and management level)</li> </ul>
<input type="checkbox"/>	<input type="checkbox"/>	<b>ADDITION OR MODIFICATION OF INDIRECT OWNERS.</b> Submit an ACN for an addition or change in Indirect Owners within the Company (MU1) Form through NMLS. A 30-day notice must be given for this change. Note: Control Persons must also be reported on the Individual (MU2) Form.
<input type="checkbox"/>	<input type="checkbox"/>	<p><b>MU2 Individual FBI Criminal Background Check Requirements:</b> When added to the Company Form (MU1), the following Individuals, as specified below, are required to authorize a FBI criminal background check (CBC) through NMLS. \$36.26 FBI Criminal Background Check fee will be charged per FBI CBC authorization.</p> <p><i>Direct Owners</i></p> <ul style="list-style-type: none"> <li>• Any person who has ownership of, or the power to vote, twenty-five percent or more of the outstanding voting shares of a licensee or controlling person.</li> </ul> <p><i>Executive Officers</i></p> <ul style="list-style-type: none"> <li>• President of the company</li> <li>• Chair of the Executive Committee</li> <li>• Senior Officers (elected or appointed) responsible for the licensee's business</li> </ul>

		<ul style="list-style-type: none"> <li>• Chief Financial Officer</li> </ul> <p>After authorizing a FBI criminal background check through the submission of the Company Form (MU1) and Individual Form (MU2), you must schedule an appointment to be fingerprinted if new prints are required.</p> <p>See the <a href="#">Quick Guides - Company section</a> of the NMLS Resource Center for more information.</p> <p><b>Note:</b> 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>
<input type="checkbox"/>	<input type="checkbox"/>	<b>DOCUMENT REQUIRED FOR ACN OF ADDITION OR MODIFICATION OF INDIRECT OWNERS: UPLOAD COPIES OF THE FOLLOWING DOCUMENTS:</b> Pre and Post organization charts (company level chart)
<b>FILED IN NMLS</b>	<b>NOT APPLICABLE</b>	<b>REQUIRED AMENDMENT ITEM</b>
<input type="checkbox"/>	<input type="checkbox"/>	<b>SURETY BOND RIDER. (For change of address or change of name only):</b> 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 <a href="#">ESB for NMLS Licensees page</a> for more information.
<input type="checkbox"/>	<input type="checkbox"/>	<b>SECRETARY OF STATE/MUNICIPALITY DOCUMENTATION.</b> Upload a copy of Certificate of Authority or Trade Name Registration issued by the South Dakota Secretary of State.
<input type="checkbox"/>	<input type="checkbox"/>	<b>NAME CHANGE</b> - Upload certified copies of all legal documents executed and associated with the name change.
<input type="checkbox"/>	<input type="checkbox"/>	<b>CHANGE IN OWNERSHIP OR CHANGE IN CONTROL –</b> Upload certified copies of all legal documents executed and associated with the change of ownership, including any applicable purchase and sales agreements, merger agreements, or consent to change in ownership agreements. Change of ownership fees will be invoiced through NMLS.
<input type="checkbox"/>	<input type="checkbox"/>	<b>DISCLOSURE QUESTIONS.</b> Upload complete details of all events or proceedings for any "Yes" answer to any of the Disclosure questions for company or any Control Person.

**WHO TO CONTACT** – Contact the South Dakota Division of Banking licensing staff by phone at 605-773-3421 or send your questions via e-mail to [banking@state.sd.us](mailto:banking@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 JURISDICTION SPECIFIC REQUIREMENTS CONTAINED HEREIN ARE FOR GUIDANCE ONLY TO FACILITATE APPLICATION THROUGH THE NMLS. SHOULD YOU HAVE QUESTIONS, PLEASE CONSULT LEGAL COUNSEL.