



TX-SML Auxiliary Mortgage Loan Activity License Amendment Checklist (Company)

CHECKLIST SECTIONS

- [General Information](#)
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GENERAL INFORMATION

Instructions

TX-SML does not require advance notice for any changes; make the changes in NMLS as of the effective date and submit supporting documentation as instructed in the checklist below.

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 TX-SML Licensing Section by phone at 512-475-1350 or toll free at 877-276-5550 or send your questions via e-mail to nmls@sml.texas.gov for additional assistance.

For U.S. Postal Service and Overnight Delivery:

*Department of Savings and Mortgage Lending
Licensing Section
2601 North Lamar Boulevard, Suite 201
Austin, Texas 78705-4207*

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.

Complete	TX-SML Auxiliary Mortgage Loan Activity License Change of Legal Name Amendment Items	Submitted via...
	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"/>	Change of Legal Name Submit an amendment for a change of Legal Name through the Company Form (MU1) in NMLS. Note: Application for Amended Certificate of Authority or Amendment to Registration - Conversion or Merger documentation filed with Texas Secretary of State must be submitted related to this change type.	Upload in NMLS: under the Document Type <u>TX Company Name Change</u> in the <i>Document Uploads</i> section of the Company Form (MU1).
NOTE	Change of Legal Name Fee: \$0 per license. Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE.	N/A
Note	Residential mortgage loan originators linked to the company license will need to submit an MU4 Amendment on the effective date of the change to update their company name under the Employment History.	N/A
<input type="checkbox"/>	Formation Documents: Formation Documents must be submitted related to this change type. Determine classification of applicant's legal status and submit true and correct copies of the requested applicable documentation detailed below. Original formation documents and all subsequent amendments, thereto including a list of any name changes. Sole Proprietorship <ul style="list-style-type: none"> • None Unincorporated Association: <ul style="list-style-type: none"> • By-Laws or constitution (including all amendments). General Partnership: <ul style="list-style-type: none"> • Partnership Agreement (including all amendments). Limited Liability Partnership: <ul style="list-style-type: none"> • Certificate of Limited Liability Partnership; and • Partnership Agreement (including all amendments). Limited Partnership: <ul style="list-style-type: none"> • Certificate of Limited Partnership; and • Partnership Agreement (including all amendments). Limited Liability Limited Partnership: <ul style="list-style-type: none"> • Certificate of Limited Liability Limited Partnership; and • Partnership Agreement (including all amendments). Limited Liability Company ("LLC"): <ul style="list-style-type: none"> • Certificate of Formation or similar document (including all amendments); • Operating Agreement (including all amendments); • IRS Form 2553 or IRS Form 8832 if S-corp treatment elected; and 	Upload in NMLS: under the Document Type <u>Formation Document</u> in the <i>Document Uploads</i> section of the Company Form (MU1).

Complete	TX-SML Auxiliary Mortgage Loan Activity License Change of Legal Name Amendment Items	Submitted via...
	<ul style="list-style-type: none"> • LLC resolution if authority not in operating agreement. <p>Corporation:</p> <ul style="list-style-type: none"> • Certificate of Formation or similar document (including all amendments); • By-laws (including all amendments), if applicable; • Shareholder Agreement (including all amendments), if applicable; • IRS Form 2553 if S-corp treatment elected; and • Corporate resolution if authority to complete application not in By-Laws or Shareholder Agreement, as amended, as applicable. <p>Not for Profit Corporation</p> <ul style="list-style-type: none"> • Documents requested of a Corporation; and • Proof of nonprofit status <ul style="list-style-type: none"> ○ Internal Revenue Service ("IRS") 501(c)(3) designation letter; or ○ statement from a State taxing body or the State attorney general certifying that: (i) the entity is a nonprofit organization operating within the State; and (ii) no part of the entity's net earnings may lawfully benefit any private shareholder or individual; or ○ entity's Certificate of Formation or similar document if it clearly establishes the nonprofit status of the applicant; or ○ Any of the three preceding items described, if that item applies to a State or national parent organization, together with a statement by the State or parent organization that the applicant is a local nonprofit affiliate. <p>Trust (Statutory)</p> <ul style="list-style-type: none"> • Certificate of Trust; and • Governing instrument (all amendments). 	

Complete	TX-SML Credit Union Subsidiary Organization License 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.</p> <p>Note: Residential mortgage loan originators linked to the company license will need to submit an MU4 Amendment on the effective date of the change to update their employment address under the Employment History.</p>	NMLS
Note	<p>Change of Main Address Fee: \$0 per license.</p> <p>Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE.</p>	N/A

Complete	TX-SML Auxiliary Mortgage Loan Activity License Addition or Modification of Other Trade Name Amendment Items	Submitted via...
<input type="checkbox"/>	Addition or Modification of Other Trade Name: Submit an amendment for an addition of or change to an Other Trade Name through the Company Form (MU1) in NMLS. Any new assumed name (d/b/a) added to the MU1 must be filed with the Texas Secretary of State or with the Texas County Clerk in the county in which you do business.	NMLS
<input type="checkbox"/>	Addition of Other Trade Name \$0 per license. Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE.	N/A
<input type="checkbox"/>	Trade Name/Assumed Name Registration Certificates: Trade Name/Assumed Name Registration Certificates must be submitted related to this change type.	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).

Complete	TX-SML Auxiliary Mortgage Loan Activity License Deletion of Other Trade Name Amendment Items	Submitted via...
<input type="checkbox"/>	Deletion of Other Trade Name: Submit an amendment for deletion of an Other Trade Name through the Company Form (MU1) in NMLS. If deleting an Other Trade Name, this name must be removed from the <i>Other Trade Names</i> section of the Company Form (MU1 and MU3).	NMLS

Complete	TX-SML Auxiliary Mortgage Loan Activity License 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
<input type="checkbox"/>	Organization Chart/Description must be submitted related to this change type. Provide the Company's Ownership documentation and an Organizational Chart/Description to show the percentage of ownership for each individual via the NMLS Document Upload section of the MU1.	Upload in NMLS: under the Document Type <u>[Document Upload Type]</u> in the <i>Document Uploads</i> section of the Company Form (MU1).

Complete	TX-SML Auxiliary Mortgage Loan Activity License 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. Organization Chart/Description must be submitted related to this change type.	NMLS

Complete	TX-SML Auxiliary Mortgage Loan Activity License 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. Qualifying Individual must have or be applying for a TX-SML Residential Mortgage Loan Originator license.	NMLS
<input type="checkbox"/>	Change of Qualifying Individual: \$0 per license. Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE.	N/A

Complete	TX-SML Auxiliary Mortgage Loan Activity License 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. Note: Must provide the Department with a narrative describing the nature of the event(s) or occurrence(s) which led to the “Yes” answer. In the alternative, if you have previously disclosed all events or occurrences to the Department, you may submit a statement to the Department confirming that the disclosures made in connection with prior applications were true and correct and there are no additional items requiring disclosure. Please upload into NMLS any supporting documentation.	Upload in NMLS in the <i>Disclosure Explanations</i> section of the Company Form (MU1) or Individual Form (MU2).

Complete	TX-SML Auxiliary Mortgage Loan Activity License Change of Disclosure Question(s) Amendment Items	Submitted via...
	See the Company Disclosure Explanations Quick Guide for instructions.	
<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 must select “Add Explanation for “No” Responses” and provide an explanation for each response that changes from “Yes” to “No” for company. You must also upload a document (PDF) related to the explanation.</p> <p>See the Company Disclosure Explanations Quick Guide for instructions.</p>	NMLS