



TX-SML Residential Mortgage Loan Servicer Registration Amendment Checklist (Company)

CHECKLIST SECTIONS

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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 TX-SML Licensing staff 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 Residential 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.</p> <p>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.</p>	NMLS
Note	<p>Change of Legal Name Fee: \$0 per registration</p> <p>Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE.</p>	N/A
<input type="checkbox"/>	<p>Surety Bond Rider: Registrants may submit their surety bond to Texas in one of the ways listed below:</p> <ol style="list-style-type: none"> 1. If you have an Electronic Surety Bond, 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 ESB for NMLS Licensees page of the NMLS Resource Center for more information about the Electronic Surety Bond process. 2. If you have NOT converted to the Electronic Surety Bond, upload the Surety Bond Rider (or new bond if applicable) 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; <u>No DBA</u> names should be listed on the document. If a new surety bond is needed, a new Bond form must be submitted. The Surety Bond Rider that reflects the change of name in NMLS should be uploaded under the Document 	<p>Electronic Surety Bond in NMLS</p> <p>Or;</p> <p>Upload in NMLS: under the Document Type <u>Surety Bond</u> in the <u>Document Uploads</u> section of the Company Form (MU1).</p> <p>AND</p> <p>Mail original to TX-SML</p>

Complete	TX-SML Residential Mortgage Loan Servicer Registration Change of Legal Name Amendment Items	Submitted via...
	<p>Type <u>Surety Bond</u> in the <i>Document Uploads</i> section of the Company Form (MU1) AND mail the original to the address listed below.</p> <p>Note: If a paper surety bond is used, the original Bond Rider is required. Please mail (faxes are not accepted) the original bond to TX-SML, 2601 N. Lamar, Suite 201, Austin, TX 78705.</p>	
<input type="checkbox"/>	<p>Formation Documents: Formation Documents must be submitted related to this change type.</p> <p>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.</p> <p>Sole Proprietorship</p> <ul style="list-style-type: none"> • None <p>Unincorporated Association:</p> <ul style="list-style-type: none"> • By-Laws or constitution (including all amendments). <p>General Partnership:</p> <ul style="list-style-type: none"> • Partnership Agreement (including all amendments). <p>Limited Liability Partnership:</p> <ul style="list-style-type: none"> • Certificate of Limited Liability Partnership; and • Partnership Agreement (including all amendments). <p>Limited Partnership:</p> <ul style="list-style-type: none"> • Certificate of Limited Partnership; and • Partnership Agreement (including all amendments). <p>Limited Liability Limited Partnership:</p> <ul style="list-style-type: none"> • Certificate of Limited Liability Limited Partnership; and • Partnership Agreement (including all amendments). <p>Limited Liability Company (“LLC”):</p> <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 • LLC resolution if authority not in operating agreement. <p>Corporation:</p> <ul style="list-style-type: none"> • Certificate of Incorporation (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 	<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>

Complete	TX-SML Residential Mortgage Loan Servicer Registration Change of Legal Name Amendment Items	Submitted via...
	<ul style="list-style-type: none"> 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 (including all amendments). 	

Complete	TX-SML Residential Mortgage Loan Servicer Registration Change of Main Address Amendment Items	Submitted via...
<input type="checkbox"/>	Change of Main Address: Submit an ACN for a change of Main (Corporate) Address through the Company Form (MU1) in NMLS.	NMLS
Note	<p>Change of Main Address: \$0 per registration</p> <p>Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE</p>	N/A
<input type="checkbox"/>	<p>Surety Bond Rider: Registrants may submit their surety bond to Texas in one of the ways listed below:</p> <ol style="list-style-type: none"> If you have an Electronic Surety Bond, no further action is required to process this change. If you have NOT converted to the Electronic Surety Bond, upload the Surety Bond Rider that reflects the change of address in NMLS under the Document Type <u>Surety Bond</u> in the <i>Document Uploads</i> section of the Company Form (MU1) AND mail the original copy to the address listed above. 	<p>Electronic Surety Bond I NMLS</p> <p>Or;</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 TX-SML.</p>

Complete	TX-SML Residential 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:</p> <p>Submit an amendment for an addition of or change to an Other Trade Name through the Company Form (MU1) in NMLS.</p> <p>Any new d/b/a name added to the MU1 must be filed with Texas Secretary of State or with Texas County Clerk Office (unincorporated persons) in the county or counties in which you do business.</p>	NMLS
Note	Addition of Other Trade Name: \$0 per registration.	N/A

Complete	TX-SML Residential Mortgage Loan Servicer Registration Addition or Modification of Other Trade Name Amendment Items	Submitted via...
	Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE.	
<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 Residential Mortgage Loan Servicer Registration 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 Residential Mortgage Loan Servicer Registration Change of Legal Status 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 Status: Submit an ACN for a change of Legal Status within the Company Form (MU1) in NMLS.	NMLS

Complete	TX-SML Residential Mortgage Loan Servicer Registration 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

Complete	TX-SML Residential Mortgage Loan Servicer Registration Addition or Modification of Direct Owners/Executive Officers Amendment Items	Submitted via...
<input type="checkbox"/>	<p>Organization Chart/Description must be submitted related to this change type. Provide the Ownership Documentation and an Organizational Chart/Description to show the percentage of ownership for each person via the NMLS Document Upload section of the MU1.</p>	<p>Upload in NMLS: under the Document Type <u>[Organization Chart/Description]</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p>

Complete	TX-SML Residential Mortgage Loan Servicer Registration Addition or Modification of Indirect Owners Amendment Items	Submitted via...
<input type="checkbox"/>	<p>Addition or Modification of Indirect Owners:</p> <p>Submit an amendment for an addition or change in Indirect Owners within the Company Form (MU1) in NMLS.</p> <p>Organization Chart/Description must be submitted related to this change type.</p>	NMLS

Complete	TX-SML Residential 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.</p> <p>Note: An on-site manager is required to be appointed for all locations where the licensee conducts business with consumers. This individual must be listed as the “Qualifying Individual” on Form MU1, and his/her business address match the address listed as the “Main Address” on Form MU1, and a Form MU2 on that individual must be filed. Please submit an amendment Form MU1 to recognize a TX Qualifying Individual. The “Qualifying Individual” does not need to a Texas-licensed residential mortgage loan originator. See Texas Finance Code § 158.053(a)(4)(B).</p>	NMLS
NOTE	<p>Change of Qualifying Individual: \$0 per registrant</p> <p>Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE.</p>	N/A

Complete	TX-SML Residential 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"/>	<p>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.</p> <p>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.</p> <p>See the Company Disclosure Explanations Quick Guide for instructions.</p>	Upload in NMLS in the <i>Disclosure Explanations</i> section of the Company Form (MU1) or Individual Form (MU2).
<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
<input type="checkbox"/>	<p>Notice of Change in Condition: A registered residential mortgage loan servicer must notify the TX-SML no later than the 10th day after:</p> <ul style="list-style-type: none"> (1) the filing for bankruptcy or reorganization of the registrant; (2) the filing of a criminal indictment related in any manner to the registrant's activities; or (3) the receipt of notification of the issuance of a final order to cease and desist, a final order of the suspension or revocation of a license or registration, or another final formal or informal regulatory action taken against the registrant in this or another state. (The reasons for the final regulatory action must be included in this notice of change in condition). See Texas Finance Code § 158.057. <p>The written statement in the Notice of Change in Condition and the supporting documents must be uploaded in NMLS under the Document Type <u>Notice of Change in Condition</u> in the <i>Document Uploads</i> section of the Company Form (MU1). In addition, the written statement in the Notice of Change in Condition and Supporting Documents should be mailed to TX-SML at the address shown above.</p>	Upload in NMLS: under the Document Type <u>Notice of Change in Condition</u> in the <i>Document Uploads</i> section of the Company Form (MU1).

REQUIREMENTS SUBMITTED OUTSIDE OF NMLS - *These items must be completed outside of NMLS and submitted directly to the regulator.*

If there is any amendment to the name, address, and or amount listed on Bond and the paper surety bond is used, an Original Bond or Bond Rider is required to be submitted outside of NMLS for this registration at this time.

The written statement in the Notice of Change in Condition shown above and supporting documents should be mailed to TX-SML at the address shown above.