



SD Mortgage Lender License Amendment Checklist (Company)

CHECKLIST SECTIONS

- [General Information](#)
- [Amendments](#)

GENERAL INFORMATION

Instructions

When making changes to your record in NMLS, South Dakota 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 South Dakota Division of Banking licensing staff by phone at 605.773.3421 or send your questions via email to DLR.BankingLicensing@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 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 Direct Owners/Executive Officers](#)
 - For purposes of this section, change of control is defined as ownership of, or the power to vote, twenty-five percent or more of the outstanding voting shares of a licensee or controlling person.: \$500
[ARSD 20:07:19:04.01](#)
- [Addition or Modification of Indirect Owners](#)
 - For purposes of this section, change of control is defined as ownership of, or the power to vote, twenty-five percent or more of the outstanding voting shares of a licensee or controlling person.: \$500
[ARSD 20:07:19:04.01](#)
- [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	SD Mortgage Lender License Change of Legal Name Amendment Items	Submitted via...
<input type="checkbox"/>	Change of Legal Name: Submit an ACN for a change of Legal Name through the Company Form (MU1) in NMLS. 30 days notice must be provided for this change.	NMLS
Note	Change of Legal Name Fee: \$0 per license Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE.	N/A
<input type="checkbox"/>	Surety Bond Rider: 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.	Electronic Surety Bond in NMLS
<input type="checkbox"/>	Certificate of Authority/Good Standing Certificate: Upload a South Dakota State-issued and approved document from the South Dakota Secretary of State's office, that demonstrates authorization to do business in SD. This document should be named <i>SD Certificate of Authority OR SD Certificate of Good Standing</i> .	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).

Complete	SD Mortgage Lender License 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. 30 days notice must be provided for this change.	NMLS
Note	Change of Main Address: \$0 per license Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE.	N/A
<input type="checkbox"/>	Surety Bond Rider: 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.	Electronic Surety Bond in NMLS
<input type="checkbox"/>	Common Amendment/Amended Annual Report/Annual Report: Upload a South Dakota State-issued and approved document from the South Dakota Secretary of State's office through NMLS that demonstrates the change of address filing. This document should be named <i>SD Common Amendment/ Amended Annual Report/ Annual Report</i> .	Upload in NMLS: under the Document Type <u>SD Common Amendment/ Amended Annual Report/ Annual Report</u> in the <i>Document Uploads</i> section of the Company Form (MU1)

Complete	SD Mortgage Lender License Addition or Modification of Other Trade Name Amendment Items	Submitted via...
<input type="checkbox"/>	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. 30 days must be provided for this change.	NMLS
Note	Addition of Other Trade Name \$0 per license. Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE.	N/A
<input type="checkbox"/>	<p>Other Trade Name: If operating under a name that is different from the applicant’s legal name, that name (“Trade Name”, “Assumed Name” or “DBA”) must be listed under the <i>Other Trade Names</i> section of the Company Form (MU1). South Dakota does not limit the number of other trade names.</p> <p>If operating under an “Other Trade Name”, upload STATE OF SOUTH DAKOTA Doing Business As (DBA) Fictitious Business Name Registration from the South Dakota Secretary of State regarding ability to do business under that trade name.</p> <p>This document should be named <i>SD Mortgage Lender 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>

Complete	SD Mortgage Lender License Deletion of Other Trade Name Amendment Items	Submitted via...
<input type="checkbox"/>	Deletion of Other Trade Name: Submit an ACN for a deletion an Other Trade Name through the Company Form (MU1) in NMLS. 30 days must be provided for this change.	NMLS

Complete	SD Mortgage Lender License Change of Legal Status Amendment Items	Submitted via...
<input type="checkbox"/>	Change of Legal Status: Submit an ACN for a change of Legal Status within the Company Form (MU1) in NMLS. 30 days must be provided for this change.	NMLS
<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 a State certified copy of the requested applicable documentation detailed below. Original formation documents and all subsequent amendments, thereto including a list of any name changes.</p> <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 Company (“LLC”):</p> <ul style="list-style-type: none"> • Articles of Organization (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"> • Articles 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>Trust (Statutory), excludes SD Chartered Trust Companies</p> <ul style="list-style-type: none"> • Certificate of Trust; and • Governing instrument (all amendments). 	Upload in NMLS: under the Document Type <u>Formation Document</u> in the <i>Document Uploads</i> section of the Company Form (MU1).
<input type="checkbox"/>	<p>Certificate of Authority/Good Standing Certificate: Upload a South Dakota State-issued and approved document from the South Dakota Secretary of State’s office, that demonstrates authorization to do business in SD.</p> <p>This document should be named <i>SD Certificate of Authority OR SD Certificate of Good Standing</i>.</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).

Complete	SD Mortgage Lender 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 ACN for an addition or change in Direct Owners/Executive Officers within the Company Form (MU1) in NMLS. 30 days notice must be provided for this change.	NMLS
<input type="checkbox"/>	For purposes of this section, change of control is defined as ownership of, or the power to vote, twenty-five percent or more of the outstanding voting shares of a licensee or controlling person.: \$500	NMLS (Agency Fee Invoice)
<input type="checkbox"/>	Credit Report for Control Persons: \$15 per control person.	NMLS (Filing submission)
<input type="checkbox"/>	Credit Report: Individuals in a position of control are required to authorize a credit report through NMLS. Individuals will be required to complete an Identity Verification Process (IDV) along with an individual attestation before a license request for your company can be filed through NMLS.	NMLS
<input type="checkbox"/>	FBI Criminal Background Check for MU2 Individual: \$36.25 per person.	NMLS (Filing submission)
<input type="checkbox"/>	<p>MU2 Individual FBI Criminal Background Check Requirements: 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.</p> <p><i>Direct Owners</i></p> <ul style="list-style-type: none"> For purposes of this section, change of control is defined as ownership of, or the power to vote, twenty-five percent or more of the outstanding voting shares of a licensee or controlling person. <p><i>Executive Officers</i></p> <ul style="list-style-type: none"> For purposes of this section, principal officers are defined as individuals that have control of the business activity. <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 Criminal Background Check section of the NMLS Resource Center for more information.</p> <p>Note: 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>	NMLS

Complete	SD Mortgage Lender License Addition or Modification of Direct Owners/Executive Officers Amendment Items	Submitted via...
Complete	SD Mortgage Lender License Addition or Modification of Indirect Owners Amendment Items	Submitted via...
<input type="checkbox"/>	Addition or Modification of Indirect Owners: Submit an ACN for an addition or change in Indirect Owners within the Company Form (MU1) in NMLS. 30 days notice must be provided for this change.	NMLS
<input type="checkbox"/>	For purposes of this section, change of control is defined as ownership of, or the power to vote, twenty-five percent or more of the outstanding voting shares of a licensee or controlling person.: \$500	NMLS (Agency Fee Invoice)
<input type="checkbox"/>	Credit Report for Control Persons: \$15 per control person.	NMLS (Filing submission)
<input type="checkbox"/>	Credit Report: Individuals in a position of control are required to authorize a credit report through NMLS. Individuals will be required to complete an Identity Verification Process (IDV) along with an individual attestation before a license request for your company can be filed through NMLS.	NMLS
<input type="checkbox"/>	FBI Criminal Background Check for MU2 Individual: \$36.25 per person.	NMLS (Filing submission)
<input type="checkbox"/>	<p>MU2 Individual FBI Criminal Background Check Requirements: When added to the Company Form (MU1), Indirect Owners, as specified below, are required to authorize a FBI criminal background check (CBC) through NMLS.</p> <p><i>Indirect Owners</i></p> <ul style="list-style-type: none"> For purposes of this section, change of control is defined as ownership of, or the power to vote, twenty-five percent or more of the outstanding voting shares of a licensee or controlling person. <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 Criminal Background Check section of the NMLS Resource Center for more information.</p> <p>Note: 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>	NMLS

Complete	SD Mortgage Lender 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 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 must 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 must also upload a document (PDF) related to the explanation. See the Company Disclosure Explanations Quick Guide for instructions.	NMLS