



## Notice – Residential Mortgage Loan Servicer Registration

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August 25, 2011

Effective September 1, 2011, Residential Mortgage Loan Servicers, servicing mortgage loans governed by Texas law, will be required to register with the Department through the Nationwide Mortgage Licensing System (NMLS). In order to continue servicing these loans after October 31<sup>st</sup>, each affected servicer company is required to be in compliance with [SB17, \(Chapter 158, Texas Finance Code\)](#).

- A Residential Mortgage Loan Servicer is any person/entity who:
  - a. receives scheduled payments from a borrower under the terms of a residential mortgage loan, including amounts for escrow accounts; and
  - b. makes the payments of principal and interest to the owner of the loan or other third party and makes any other payments with respect to the amounts received from the borrower as may be required under the terms of the servicing loan document or servicing contract.
  
- An entity is not required to register if it:
  1. is a state or federal depository institution,
  2. is registered under Chapter 157 and has properly notified the Department of its servicing activities,
  3. is licensed under Chapter 342 or regulated by Chapter 343, if the entity does not act as a residential mortgage loan servicer servicing first lien secured loans, or
  4. is making a residential mortgage loan with the person's own funds, or to secure all or a portion of the purchase price of real property sold by that entity.
  
- Registrants are required to file a [bond](#) or other collateral of like kind, as determined by the Commissioner, with the Department.
  
- [NMLS](#) will be updated and accepting Residential Mortgage Loan Servicer Registrations on September 1st.
  
- Third-party debt collectors that are required to register should contact the Department for registration requirements at [licensing@sml.texas.gov](mailto:licensing@sml.texas.gov).

Visit the [NMLS Resource Center](#) for additional information regarding the registration process. Technical questions, on how to file an application through NMLS, should be directed to the NMLS Call Center at (240)386-4444.