



NEW YORK STATE
DEPARTMENT *of*
FINANCIAL SERVICES

Instructions for Preparation of the
**Licensed Mortgage Banker
Volume of Operations Report**

For Calendar Year 2015

Licensed Mortgage Banker Volume of Operations Report

For Calendar Year 2015

General Instructions

Statutory Authority: Pursuant to Section 597 of the New York Banking Law, Licensed Mortgage Bankers are required to file an annual report concerning the business and operations of the Licensee during the preceding calendar year.

The New York State Department of Financial Services (“the Department” or “NYDFS”) utilizes the information provided on the annual Volume of Operations Report (“VOOR”) to assess the level of resources needed in its overall regulation and oversight of mortgage-related entities. Additionally, the information is utilized to identify trends in New York mortgage lending and non-depository lending activities. Furthermore, gross revenue figures are an integral part of the Department’s assessment process.

Section 44-a of the Banking Law allows the Superintendent to assess a penalty of up to \$2,000 per day for late or inaccurately filed reports. Such penalty can be increased to \$20,000 per day, if the Department determines that the errors or omissions were not inadvertent or unintentional.

Specific Instructions

1. Complete the Licensed Mortgage Banker Volume of Operations Report (“VOOR”) for Calendar Year 2015. **Be sure that you are using the Banker VOOR form dated 2015. Other versions of the form will not be accepted.**

2. **Deadline for Submission:** Regardless of whether you submit the VOOR online or by mail it **must** be submitted no later than May 23, 2016. Mail submissions must be postmarked by the May 23, 2016, date.

3. If you are submitting the VOOR by mail, also complete and sign the attached Affidavit in the presence of a notary public. Note that the Affidavit can only be signed by an owner or principal officer of the Licensee. Mail the completed VOOR and Affidavit to:

ATTN: Mortgage Banking – VOOR
New York State Department of Financial Services
One State Street
New York, NY 10004-1511

Note: Failure to file the VOOR on or before May 23, 2016 will result in the Department taking action to levy a penalty for every day your VOOR filing remains outstanding. Additionally, the Department may levy a penalty for late, incomplete or inaccurate submissions or take other regulatory action, including scheduling a hearing for revocation of the company’s license.

Banker Number: If you are submitting the VOOR by mail, enter your Mortgage Banker Identification Number on the upper right-hand corner of the first page. Your Banker Number was assigned to your institution by the Department and can be found in our letter to you dated **March 10, 2016**. **Note:** your Banker Identification Number is **not** the number printed on your certificate.

Nationwide Mortgage Licensing System & Registry number (NMLS): You are required to provide your NMLS number regardless of whether you are filing online or by mail. The NMLS field requires all ten spaces to be filled. Therefore, you are required to input preceding zeros before your NMLS number (e.g. 000000xxxx).

Note: If you do not have an NMLS number, you will need to register with the NMLS. Instructions for registering with the NMLS can be downloaded at: www.nationwidelicencingsystem.org.

For questions relating to Applications Taken, please provide responses for all Application Taken regardless of the process employed in taking such application. Common practice in which applications are taken will include: in person, via mail, by telephone, via the internet, by electronic media, etc. Report all application taken, regardless, of whether or not they resulted in closed loans.

Pre-filled Information: The VOOR form will, in part, contain pre-populated information from the NYSDFS database. **Note:** The following data fields cannot be modified: Main Business Name and Location, Social Security numbers, Legal Business Structure, Executive Officers, Ownership, and Ownership Percentage.

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A. CONTACT INFORMATION

Item A-1. Main Business Location

The legal name and principal address of the Licensee's business is pre-populated and cannot be changed during the online or manual VOOR filing process.

If the primary telephone number and/or fax number has changed, please provide updated information.

Changes in the Licensee's name and address **must** have prior approval from the Department. For further information, please consult the Department's website (www.dfs.ny.gov/banking/mortgagecomp.htm).

Item A-2. Head of Organization

If the title, telephone number, and/or e-mail address for the head of the organization (i.e., the chairperson, president, chief executive officer, or principal owner) has changed, please provide updated information.

Item A-3. Overall Contact

The Licensee **must** designate an Overall Contact who has the authority and ability to coordinate general Department of Financial Services business and inquiries, as well as to receive all Department mail. The Overall Contact should be able to address compliance issues such as financial reporting, audits, and suspicious Activities.

State the Overall Contact's full name, title, phone number, fax number, and e-mail address.

State the Overall Contact's mailing address only if it is different from the primary address listed in Item A-1.

Item A-4. Billing Contact (Optional)

A Billing Contact receives bills from the Department and should have the authority to discuss such issues as late payments or otherwise delinquent bills. If you choose to designate a Billing Contact, be sure that this contact is not the same individual listed as the Overall Contact in Item A-3.

State the Billing Contact's full name, title, phone number, fax number, and e-mail address.

State the Billing Contact's mailing address only if it is different from the primary address listed in Item A-1.

Item A-5. Examination Contact (Optional)

An Examination Contact coordinates examinations by the Department of Financial Services. If you choose to designate an Examination Contact, be sure that this contact is not the same as the Overall Contact named in Item A-3.

State the Examination Contact's full name, title, phone number, fax number, and e-mail address.

State the Examination Contact's mailing address only if it is different from the primary address listed in Item A-1.

B. GENERAL BUSINESS INFORMATION

Item B-1. Alternate Business Names

Other than the legal business name listed in Item A-1, this section is pre-populated with **all** other names including d/b/a, assumed, fictitious, and other names used by the Licensee to conduct mortgage business on 1-4 family, owner-occupied, residential properties in New York State. This information cannot be changed during the online or manual VOOR filing process.

Item B-2. Offices

Licensee is required to provide the Nationwide Mortgage Licensing System & Registry number (NMLS#) for each branch office listed regardless of whether such branch office was previously surrendered.

Provide the date of birth for each listed branch manager or primary person in charge. Provide the updated office telephone number if the one on file has changed.

Note: This section is pre-populated with information relating to each office authorized by the Department and the associated branch manager or primary person in charge and cannot be changed during the online or manual VOOR filing process.

Note: The Social Security number **cannot** be inputted online. This field is protected for security reasons.

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Note: Change of address and/or change of a branch manager **must** have prior approval from the Department. In addition, if you no longer conduct business at an office location, you **must** surrender the license for that office location. Please consult the Department's website (www.dfs.ny.gov/banking/mortgagecomp.htm) for further information.

Item B-3. General Information

Please complete the Yes/No questions by placing a check mark in the appropriate box.

The final Yes/No question asks whether the Licensee offers reverse mortgage loans to New York State residents. If you answer Yes, mark the appropriate box for each reverse mortgage program offered (NYS, HUD/HECM, FNMA, or Other). If you mark "Other," also state the name of the program in the space provided.

Note: The first part of this section is pre-populated with one of the legal business structure that best represents the Licensee's present legal business structure and cannot be changed during the online or manual VOOR filing process: Business structure categories are: Sole Proprietorship, Partnership, Corporation, Limited Liability Company ("LLC"), or Series LLC.

Note: Any changes or corrections to the Licensee's legal business structure **must** be submitted on company letterhead, signed by an owner or a senior executive officer. Mail the letter to: Deputy Superintendent Rholda L. Ricketts, New York State Department of Financial Services, One State Street, New York, NY 10004-1511.

C. OWNERSHIP INFORMATION

Note: Changes in ownership may trigger a change in control as defined in Section 594-b of the Banking Law. A change of control **must** have prior approval of the Superintendent. Please refer to the Department's website at (www.dfs.ny.gov/banking/mortgagecomp.htm) for instructions on submitting a change of control application.

To notify the Department of a change in ownership that does not involve a change in control, submit a letter on company letterhead, signed by an owner or a senior executive officer. Mail the letter to: Deputy Superinten-

dent Rholda L. Ricketts, New York State Department of Financial Services, One State Street, New York, NY 10004-1511.

Item C-1. Ownership by Other Business Entities

Please provide the updated information if your address, telephone number and/or email address on file have changed.

Note: This section is pre-populated with the listing of ownership and percentage of ownership interest from business entities and cannot be changed during the online or manual VOOR filing process.

Item C-2. Ownership by Individuals

Provide the date of birth for each listed owner. Please provide the updated information if the individuals' title, **home** address and **home** telephone number have changed.

Note: This section is pre-populated with the ownership and percentage of ownership interest from individuals and cannot be changed during the online or manual VOOR filing process.

Note: The Percentage of Ownership interest for a sole proprietorship is 100%.

Note: The Social Security number **cannot** be inputted online. This field is protected for security reasons.

D. DIRECTOR AND OFFICER INFORMATION

Important Note: Changes in the composition of the Licensee's directors, three most senior executive officers, control persons and the qualifier **must** be submitted in writing, pursuant to Part 410.7 of the Superintendent's Regulations. Refer to the Department's website at (www.dfs.ny.gov/banking/mortgagecomp.htm) for instruction and mail the submission to: Deputy Superintendent Rholda L. Ricketts, New York State Department of Financial Services, One State Street, New York, NY 10004-1511.

Item D-1. Directors

Provide the date of birth for each listed Director. Please provide the updated information if the individuals' title,

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home address and **home** telephone number have changed.

Note: This section is pre-populated with the names of Directors and cannot be changed during the online or manual VOOR filing process.

Note: The Social Security number **cannot** be inputted online. This field is protected for security reasons.

Item D-2. Executive Officers

Provide the date of birth for each listed Executive Officer. Please provide the updated information if the individuals' title, **home** address and **home** telephone number have since changed.

Note: This section is pre-populated with the names of Executive Officers and cannot be changed during the online or manual VOOR filing process.

Note: The Social Security number **cannot** be inputted online. This field is protected for security reasons.

E. OTHER INFORMATION REGARDING INDIVIDUALS

Item E-1. Total Number of Individuals

For the reported calendar year, indicate the total number of individuals who had any **direct dealing** with mortgage loan applications for 1 - 4 family, owner-occupied, residential properties in New York State.

Direct dealing is defined as soliciting, processing, placing, negotiation, and/or lending. These categories include all individuals who discuss loan terms, interest rates, product type, maturity, etc. with the borrower.

Individuals who may have had direct dealings with mortgage loan applicants will include **some** (but not necessarily all) of the following: the Licensee's owners, partners, stockholders with 10% or more voting stock, directors, agents, employees, independent contractors, consultants, and any other person(s) having a relationship with the Licensee similar to that of a consultant, regardless of where they live or work.

Item E-2. Qualifier Information

The Qualifier is the person who, at the time of licensure, was deemed by the Department to have met the minimum business experience requirements under Superintendent's Regulations Part 410.1(c).

Note: This section is pre-populated with the Qualifiers' name and title and cannot be changed during the online or manual VOOR filing process.

Important Note: Changes in the Licensee's directors, three most senior executive officers, control persons and the qualifier **must** be submitted in writing, pursuant to Part 410.7 of the Superintendent's Regulations. Follow the relevant instructions at the Department's website (www.dfs.ny.gov/banking/mortgagecomp.htm), and mail the submission to: Deputy Superintendent Rholda L. Ricketts, New York State Department of Financial Services, One State Street, New York, NY 10004-1511.

Item E-3. Criminal Background Checks for Determining Felony Convictions

This Item asks whether the Licensee conducts criminal background checks to determine whether the following individuals associated with it have felony convictions: directors, control persons, officers, agents, employees, independent contractors, consultants, new owners, new partners, and any other persons having a relationship with the Licensee similar to that of a consultant.

Mark a Yes or a No, as appropriate. If you mark a Yes, also mark the box that best describes how often you conduct these background checks.

Note: "Semi-annually" is defined as twice a year. "Bi-annually" is defined as once every two years.

Item E-4. Individuals with Felony Convictions

This Item seeks information regarding convicted felons who have served in any role at or with the Licensee during the reported calendar year or at any time since. You **must** list all such felons. Attach additional pages as necessary.

Item E-4-a. Mark a Yes or a No, as appropriate. If you mark a Yes, continue with Items E-4-a-1 through E-4-e. If you mark No, skip to Item F-1.

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Item E-4-a-1. Provide each convicted felon's full name, title (if applicable), date of birth, social security number, relationship with the Licensee, date of hire, and date of termination (if any).

Item E-4-b. Provide details of each offense, including the crime committed, the date of the conviction, the case number, and the court in which the case was adjudicated.

Item E-4-c. Mark a Yes or a No, as appropriate. If you mark a Yes, also answer Item E-4-c-1. If you mark a No, skip to Item E-4-d.

Item E-4-c-1. Mark a Yes or a No, as appropriate.

Item E-4-d. Mark Yes or No, as appropriate. If you mark a Yes, also answer Item E-4-d-1. If you mark a No, skip to Item F-1.

Note: Eligible individuals can obtain a Certificate of Relief from Disabilities from the State of New York. The Certificate relieves the holder from some bars to employment, licensing, and registration resulting from a criminal conviction.

Item E-4-d-1. Mark a Yes or a No, as appropriate. If you mark a No, you **must** attach a copy of the Certificate of Relief from Disabilities.

Note to Online Filers: If this report is being submitted online, mail the copy of the Certificate to: ATTN: MD – VOOR, New York State Department of Financial Services, One State Street, New York, NY 10004-1511. Be sure to reference your internet submission confirmation number.

Item E-4-e. Mark a Yes or a No, as appropriate. If you mark a Yes, provide the individuals mortgage loan originator number (NMLS#). If you mark a No, skip to Item F-1.

F. LITIGATION, BANKRUPTCY, AND REGULATORY ACTIONS

Item F-1. Litigation

This Item asks whether the Licensee is involved in any financial services-related litigation.

Mark a Yes or a No, as appropriate. If you mark a Yes, provide the caption (name of case), index number, and court name for each case. Attach additional pages as necessary.

If you mark a Yes, **you must also attach a signed statement from legal counsel** opining on whether the legal action(s), when aggregated, would materially impact the Licensee's financial condition and/or ability to meet its obligations.

Note to Online Filers: If this report is being submitted online, mail the signed statement to: ATTN: MD – VOOR, New York State Department of Financial Services, One State Street, New York, NY 10004-1511. Be sure to reference your internet submission confirmation number.

Item F-2. Bankruptcy

This Item asks whether the Licensee or certain individuals associated with it filed for bankruptcy in the reported calendar year or at any time since. These individuals include the Licensee's owners, partners, stockholders with 10% or more of voting stock in the Licensee, directors, and officers.

Mark a Yes or a No, as appropriate. If you mark a Yes, state the entity or individual filing for bankruptcy, the type of bankruptcy (Chapter 7, Chapter 11, etc.) and the date of the filing. Attach additional pages as necessary.

Item F-3. Regulatory Actions

This Item asks whether, during the reported calendar year or thereafter, any state, federal, or foreign regulatory authority has denied, suspended, revoked, or restricted the authorization to conduct a financial services-related business by Licensee or certain individuals associated with it. These individuals include the Licensee's owners, partners, stockholders with 10% or more of voting stock in the company, directors, and officers.

Mark Yes or No, as appropriate. If you mark Yes, state the name of the regulatory authority, the type of regulatory action, the entity or individual that was subject to the action, the amount of the fine (if applicable), and the date of the action. Attach additional pages as necessary.

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G. THIRD-PARTY RELATIONSHIPS

Important Note: Information on real estate appraisers and title insurance agencies **must** be provided regardless of who arranged and who paid for those services. You may need to request the information from the borrowers, their closing attorneys, or other entities and individuals involved in the mortgage applications and loan approval process.

Item G-1. Real Estate Appraisers

List the **three** real estate appraisal companies/appraisers that obtained the largest number of payments from the Licensee and the Licensee's mortgage applicants in connection with Closed New York loans being reported in Part H of this report.

State the full name, address, and phone number of the appraiser or of the contact person at the appraisal company. Also state the appraisal company's name (if applicable).

Item G-2. Title Insurance Agencies

List the **three** title insurance agencies that obtained the largest number of payments from the Licensee and the Licensee's mortgage applicants in connection with the New York applications and loans you are reporting in Part H of this report.

State each title insurance agency's name, address, and phone number, as well as the full name of a contact person at each agency.

H. APPLICATION AND LOAN INFORMATION

Important Note Regarding Dollar Amounts: Report actual whole dollar amounts. If dollar amounts are reported in any other manner, the VOOR may be deemed incomplete or inaccurate and subject to penalty. Figures containing 50 or more cents must be rounded up to the next dollar. For example, \$7,000,012.53 **must** be stated as \$7,000,013.

Loans to Report: All owner-occupied first lien and junior lien forward mortgage loans, including Bridge Loans and Home Equity Lines of Credit ("HELOC") must be reported. If a loan is consummated as owner-occupied it

must be reported regardless of whether the Licensee has knowledge that the borrower(s) did not occupy the property.

Note: Loans on second homes must be reported, if such loans meet Fannie Mae requirements for consideration as a second home. See below:

- Must be occupied by the borrower for some portion of the year;
- Restricted to one unit dwelling
- Must be suitable for year round occupancy
- Borrower must have exclusive control over the property;
- Must not be rental property or a timeshare arrangement;
- Property cannot be subject to any agreements that give a management firm control over the occupancy of the property.

Do Not Report: Loans consummated as non-owner occupied loans or commercial property.

Item H-1. Accounting Basis

Mark the box next to the accounting basis (accrual or cash) used to report amounts in Part H. Be sure to mark only **one** box.

Accrual Basis: In accrual basis accounting, revenues are recorded when they are earned, whether or not they have been received. Expenses are recorded when they are incurred, whether or not they have been paid.

Cash Basis: In cash basis accounting, revenues are recorded when they are received, and expenses are recorded when they are paid.

Note: You **must** use one accounting basis consistently throughout Part H. If you are unsure which basis to use, please consult with your accountant.

Item H-2. First Lien Loans Closed on Properties Located in New York State

Report the number and dollar amount of first lien mortgage loans closed by the Licensee as the lender of record during the reported calendar year for 1 - 4 family, owner-occupied, residential **properties located in**

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New York State, regardless of when, where, or how the application was taken.

The number of loans and the dollar amount of loans are divided into five separate categories, as follows:

1. VA: Include VA loans here. **Do not** include High Cost Home Loans.
2. FHA: Include FHA loans here. **Do not** include High Cost Home Loans.
3. Conventional: Include Conventional loans (i.e., non-VA/FHA loans) here, regardless of whether they are conforming to secondary market requirements or standards. **Do not** include High Cost Home Loans.
4. High Cost Home Loans: Include High Cost Home Loans here.
5. Total: The sum of VA, FHA, Conventional, and High Cost Home Loans. **Note:** This field is protected and **cannot** be altered.

Note: Because you are reporting first lien mortgage loans for properties located in New York State only, the numbers and amounts reported in Item H-2 **cannot be greater** than the respective numbers and amounts reported in Item H-3.

Note: The vast majority of bankers and brokers have provided data in the range of \$25,000 to \$1,000,000 per application/loan on average. If you have entered data that resulted in an average application/loan amount of less than \$25,000 or more than \$1,000,000, it is not necessarily wrong. It is however, important that you verify the numbers. The average application/loan amount can be calculated by dividing a dollar amount by the corresponding number of applications/loans.

Item H-3. First Lien Loans Closed on Properties in the U.S. (Including New York State)

Report the number and dollar amount of first lien mortgage loans closed by the Licensee as the lender on record during the reported calendar year for 1-4 family, owner-occupied, residential **properties located anywhere in the United States (including New York)**, regardless of when, where, or how the application was taken.

The number of loans and the dollar amount of loans are divided into five separate categories, as follows:

1. VA: Include VA loans here. **Do not** include High Cost Home Loans.
2. FHA: Include FHA loans here. **Do not** include High Cost Home Loans.
3. Conventional: Include Conventional loans (i.e., non-VA/FHA loans) here, regardless of whether they are conforming to secondary market requirements or standards. **Do not** include High Cost Home Loans.
4. High Cost Home Loans: Include High Cost Home Loans here.
5. Total: The sum of VA, FHA, Conventional, and High Cost Home Loans. **Note:** This field is protected and **cannot** be altered.

Note: Because you are reporting first lien mortgage loans for properties located anywhere in the United States (including New York), the numbers and amounts reported in Item H-3 **cannot be less** than the respective numbers and amounts reported in Item H-2.

Note: The vast majority of bankers and brokers have in the past provided data in the range of \$25,000 to \$1,000,000 per application/loan on average. If you have entered data that resulted in an average application/loan amount of less than \$25,000 or more than \$1,000,000, it is not necessarily wrong. It is, however, important, that you verify the numbers. The average application/loan amount can be calculated by dividing a dollar amount by the corresponding number of applications/loans.

Item H-4. Junior Lien Loans Closed on Properties Located in New York State

Report the number and dollar amount of junior lien mortgage loans closed by the Licensee, as the lender on record, during the reported calendar year for 1-4 family, owner-occupied, residential **properties located in New York State**, regardless of when, where, or how the application was taken.

The number of loans and the dollar amount of loans are divided into four separate categories, as follows:

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1. Open Ended: Include Open Ended loans here. **Do not** include High Cost Home Loans.

2. Closed Ended: Include Closed Ended loans here. **Do not** include High Cost Home Loans.

3. High Cost Home Loans: Include High Cost Home Loans here.

4. Total: The sum of Open Ended, Closed Ended, and High Cost Home Loans. **Note:** This field is protected and **cannot** be altered.

Note: Open-ended junior lien loans closed (which include certain credit line mortgages) are reported in Item H-4 for primarily statistical purposes. In Items H-8 and H-9, **do not** report revenue earned on open-ended junior lien loans.

Note: Because you are reporting junior lien mortgage loans for properties located in New York State only, the numbers and amounts reported in Item H-4 **cannot be greater** than the respective numbers and amounts reported in Item H-5.

Note: The vast majority of bankers and brokers have provided data in the range of \$25,000 to \$1,000,000 per application/loan on average. If you have entered data that resulted in an average application/loan amount of less than \$25,000 or more than \$1,000,000, it is not necessarily wrong, however it should be checked. The average application/loan amount can be calculated by dividing a dollar amount by the corresponding number of applications/loans.

Item H-5. Junior Lien Loans Closed on Properties in the U.S. (Including New York State)

Report the number and dollar amount of junior lien mortgage loans closed by the Licensee as the lender on record during the reported calendar year for 1-4 family, owner-occupied, residential **properties located anywhere in the United States (including New York)**, regardless of when, where, or how the application was taken.

The number of loans and the dollar amount of loans are divided into four separate categories, as follows:

1. Open Ended: Include Open Ended loans here. **Do not** include High Cost Home Loans.

2. Closed Ended: Include Closed Ended loans here. **Do not** include High Cost Home Loans.

3. High Cost Home Loans: Include High Cost Home Loans here.

4. Total: The sum of Open Ended, Closed Ended, and High Cost Home Loans. **Note:** This field is protected and **cannot** be altered.

Note: Because you are reporting junior lien mortgage loans for properties located anywhere in the United States (including New York), the numbers and amounts reported in Item H-5 **cannot be less** than the respective numbers and amounts reported in Item H-4.

Note: The vast majority of bankers and brokers have provided data in the range of \$25,000 to \$1,000,000 per application/loan on average. If you have entered data that resulted in an average application/loan amount of less than \$25,000 or more than \$1,000,000, it is not necessarily wrong. It is, however, important that you verify the numbers. The average application/loan amount can be calculated by dividing a dollar amount by the corresponding number of applications/loans.

Item H-6. Mortgage Applications Brokered

Report the number and dollar amount of any and all mortgage loan applications brokered by the Licensee to other lenders or brokers for 1-4 family, owner-occupied, residential **properties located in New York State**.

Report applications brokered regardless of when, where, or how the application was taken, and regardless of the final decision on the application.

Do not include in this section loans closed by the Licensee as the lender on record (i.e., do not include the loans reported in Items H-2 through H-5).

Do not include in this section mortgage applications processed for other entities (i.e., do not include the loans reported in Item H-7).

The number of loans applied for and the dollar amount applied for are divided into three separate categories, as follows:

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1. High Cost Home Loan Applications
2. Other Mortgage Loan Applications
3. Total: The sum of High Cost Home Loan Applications and Other Mortgage Loan Applications. **Note:** This field is protected and **cannot** be altered.

Note: The vast majority of bankers and brokers have provided data in the range of \$25,000 to \$1,000,000 per application/loan on average. If you have entered data that resulted in an average application/loan amount of less than \$25,000 or more than \$1,000,000, it is not necessarily wrong. It is, however, important that you verify the numbers. The average application/loan amount can be calculated by dividing a dollar amount by the corresponding number of applications/loans.

Item H-7. Mortgage Applications Processed

Report the number and dollar amount of any and all mortgage loan applications processed by the Licensee on behalf of other entities for 1-4 family, owner-occupied, residential **properties located in New York State**.

Note: Include only applications for which you functioned solely as a **back office processor** for another entity.

Report applications processed during the reported calendar year, regardless of the final decision on the application.

Do not include loans closed by the Licensee as the lender on record (i.e., do not include the loans reported in Items H-2 through H-5).

Do not include mortgage applications brokered (i.e., do not include the applications reported in Item H-6).

The number of loans applied for and the dollar amount applied for are divided into three separate categories, as follows:

1. High Cost Home Loan Applications
2. Other Mortgage Loan Applications
3. Total: The sum of High Cost Home Loan Applications and Other Mortgage Loan Applications. **Note:** This field is protected and **cannot** be altered.

Note: The vast majority of bankers and brokers have provided data in the range of \$25,000 to \$1,000,000 per application/loan on average. If you have entered data that resulted in an average application/loan amount of less than \$25,000 or more than \$1,000,000, it is not necessarily wrong. It is, however, important that you verify the numbers. The average application/loan amount can be calculated by dividing a dollar amount by the corresponding number of applications/loans.

Item H-8. Revenue Earned

General Instructions: For the reported calendar year, provide information on gross revenue earned in connection with forward and reverse mortgage loans on 1-4 family owner-occupied, residential properties located in New York State. You must report revenue derived from activities reported in the following sections of the VOOR:

- Mortgage loans closed (as reported in Items H-2 and H-4);
- Applications brokered (as reported in Item H-6);
- Applications processed (as reported in Item H-7);
- Reverse mortgage loans (as reported in Section M);
- Lead generation activities (as reported in Section N);
- Loan modification activities (as reported in Section O);

Be sure to include all points and fees earned by the Licensee, whether or not they were recorded on the HUD settlement statement. Also include all points and fees earned by the Licensee on loan applications that did not close or consummate.

Exclude: The following revenue should be excluded from Item H-8.

1. Revenue earned on open-ended junior lien loans reported in Item H-4;
2. Earnings from loan-servicing activities;
3. Earnings from the secondary market (i.e., service release premiums and gain on sale); and
4. Points and fees collected and passed through to (a) a third-party mortgage loan service provider, such as a credit report provider, appraiser, or attorney, or (b) another licensed mortgage banker, registered broker, or exempt institution (such as a commercial bank).

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Note: Exclusions of pass-through point and fees are allowed only if the Licensee has clear documentation of the points and fees collected and passed through for each application or loan.

Amounts Not Subject to Exclusion: The Licensee may **not** exclude any amounts paid to (a) its owners, partners, stockholders, directors, officers, agents, employees, independent contractors, consultants, or any other person(s) having a relationship with the company similar to that of a consultant, or (b) an unlicensed mortgage banker or unregistered mortgage broker. Immediately report all dealings with an unlicensed mortgage banker or unregistered mortgage broker to the Department of Financial Services in writing.

Note: All revenue figures must be reported as gross numbers. Expenses should not be netted out.

Reporting Format: Revenue earned is reported in four categories, as follows:

(i) Total Points Paid to Licensee by Borrowers: Be sure to state total points paid as a dollar amount.

(ii) Total Points Paid to Licensee by Lenders Including Yield Spread Premiums: Be sure to state total points paid as a dollar amount. **Note:** If you reported no applications brokered in Item H-6, it is not likely that you would have points paid by lenders.

(iii) Other Earnings: Include interest income, loan modification income, reverse mortgage income, lead generation income, and application and processing fees. **Note: Do not** include points recorded in (i) and (ii).

(iv) Total New York-Related Gross Revenue: The sum of (i) plus (ii) plus (iii). **Note:** This field is protected and **cannot** be altered.

Note: If you reported no First Lien Loans Closed in Item H-2, no Junior Lien Loans Closed in Item H-4, no Mortgage Applications Brokered in Item H-6, no Mortgage Applications Processed in Item H-7, nor reported any figures in Section M “Reverse Mortgage Loans”, Section N “Lead Information,” and Section O “Types of Loans Modified,” it is unlikely that you would have a Total New York-Related Gross Revenue of greater than zero.

Conversely, if you reported First Lien Loans Closed in Item H-2, Junior Lien Loans Closed in Item H-4, Mortgage Applications Brokered in Item H-6, **or** Mortgage Applications Processed in Item H-7, or reported any figures in Section M “Reverse Mortgage Loans”, Section N “Lead Information,” and Section O “Types of Loans Modified,” it is likely you would have a Total New York-Related Gross Revenue of greater than zero.

Item H-9. Supplemental Income Information

For the reported calendar year, provide information on the following income related to 1-4 family, owner-occupied, residential **properties located in New York State:**

1. Earnings from Loan-Servicing Activities includes fees, interest and other revenue earned as a master servicer and/or a sub-servicer of mortgage loans on 1-4 family owner-occupied residential property located in New York

- Mortgage Loans on 1-4 family residential property include first lien, junior liens, home equity lines of credit and reverse mortgage. Interest: means the portion of the periodic payment that the lender allocates to interest. Fees, Interest and Other revenue include but is not limited to:
- Revenues from servicing advances and bulk sale of servicing rights;
- Amounts collected from borrowers for late remittance of a periodic payment, including any processing fee irrespective of whether such fee is specifically identified as a late fee or penalty;
- Interest revenue earned on servicing related Principal & Interest (PI) and Taxes & Insurance custodial accounts
- Other Revenue to include fees collected for services such as credit report fees, appraisal fees, or attorney fees that were not reported above. **Do not** include fees which were collected and passed through to a third party.

Sum of the above is the Earnings from Loan-Servicing Activities.

2. Earnings from the Secondary Market (i.e., service release premiums and gain on sale); and

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3. Points and Fees Collected and Passed Through to (a) a third-party mortgage loan service provider, such as a credit report provider, appraiser, or attorney, or (b) another licensed mortgage banker, registered broker, or exempt institution (such as a commercial bank).

Exclude revenue earned on open-ended junior lien loans reported in Item H-4.

Item H-10. Mortgage Loan Applications Taken for Properties in New York State (Exclude transactions reported in H6 and H7)

Report the number and dollar amount of mortgage loan applications taken by the Licensee during the reported calendar year for 1-4 family, owner-occupied, residential properties in New York State. Common practices in which applications are taken include: in person, via mail, by telephone, via the internet, by electronic media, etc. Report all applications taken, regardless of whether or not they have closed.

Note: Do not include applications in which you functioned solely as back office processor for another entity (i.e., do not include loans reported in Items H6 and H7). The table for reporting the number of applications taken and the dollar amount applied for is divided into five categories, as follows:

1. VA: Include VA loans here. **Do not** include High Cost Home Loans.
2. FHA: Include FHA loans here. **Do not** include High Cost Home Loans.
3. Conventional: Include Conventional loans (i.e., non-VA/FHA loans) here, regardless of whether they are conforming to secondary market requirements or standards. **Do not** include High Cost Home Loans.
4. High Cost Home Loans: Include High Cost Home Loans here.
5. Total: The sum of VA, FHA, Conventional, and High Cost Home Loans to get the total number of loans.

Note: This field is protected and **cannot** be altered.

Note: The vast majority of bankers and brokers have provided data in the range of \$25,000 to \$1,000,000 per

application/loan on average. If you have entered data that resulted in an average application/loan amount of less than \$25,000 or more than \$1,000,000, it is not necessarily wrong. It is, however, important that you verify the numbers. The average application/loan amount can be calculated by dividing a dollar amount by the corresponding number of applications/loans.

I. LOANS SERVICED

Note: Report actual whole dollar amounts. Figures containing 50 or more cents must be rounded up to the next dollar. For example, \$7,000,012.53 **must** be stated as \$7,000,013.

Item I-1. Mortgage Loans Serviced

This Item asks whether the Licensee serviced mortgage loans for other entities in the reported calendar year. This applies to loans secured by 1-4 family, owner-occupied, residential **properties located in New York State.**

Mark a Yes or a No, as appropriate. If you mark a Yes, provide the following information for each entity: the entity's name, phone number, and address; the full name and title of a contact person; the total number of loans serviced for the entity; and the total outstanding principal amount of the loans serviced for the entity (calculated as of the end of the reported calendar year). Attach additional pages as necessary.

Note: If you have entered data that resulted in an average loan amount of less than \$1,000 or more than \$1,000,000, it is not necessarily wrong. It is, however, important that you verify the numbers. The average loan amount can be calculated by dividing the total outstanding principal amount by the corresponding total number of loans serviced.

J. IDENTIFICATION NUMBERS

In order to readily identify regulated entities, they are required to submit mortgage information pursuant to Home Mortgage Disclosure Act (HMDA). Additionally, the Department is requesting the Federal Tax ID numbers to facilitate identification of licensees within an

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organization hierarchy and association with corporate name on the Nationwide Mortgage licensing system.

Item J-1. Home Mortgage Disclosure Act (HMDA) Reporter Id:

Provide your ten-digit Home Mortgage Disclosure Act (HMDA) Responder or Reporter ID. The (HMDA) ID must be reported with leading zeros so that the total number of digits is ten. Do not include dashes. (For example, the source number 12345 must be stated as 0000012345.)

Item J-2. Federal Employer Identification Number (EIN):

Provide your nine-digit Federal Employer Identification Number (EIN). This number is also sometimes known as your Federal Tax Identification Number (TIN).

K. TYPES OF LOANS CLOSED

Note: Report actual whole dollar amounts. Figures containing 50 or more cents must be rounded up to the next dollar. For example, \$7,000,012.53 **must** be stated as \$7,000,013.

Item K-1. Breakdown of First Lien Loans Closed on Properties in New York State

Table 1-A. Purchase/Refinance (NYS Only)

Report the number and dollar amount of first lien purchase money mortgage and refinanced loans closed.

Note: The amount reported in Table 1-A should equal first liens reported in Item H-2.

Table 1-B. Fixed Rate/Adjustable Rate/Interest Only (NYS Only)

Report the number and dollar amount of Fixed Rate, Adjustable Rate and Interest Only loans (i.e. **do not include** interest only loans report in items (iv) and (v) of this table.

Table 1-C. Terms of Adjustable Rate Loans reported in Table 1-C (NYS Only)

Report the number and dollar amount for each term of adjustable rate loans.

Item K-2. Piggyback Junior Lien Loans Closed on Properties in New York State

Report the number and dollar amount of simultaneous second mortgages originated and closed in conjunction with a first mortgage.

L. SUBPRIME LOANS

Note: Report actual whole dollar amounts. Figures containing 50 or more cents must be rounded up to the next dollar. For example, \$7,000,012.53 **must** be stated as \$7,000,013.

A “subprime home loan” is defined under § 6-m as a home loan with a fully-indexed annual percentage rate (APR) that exceeds by more than 175 basis points for a first-lien loan, or by more than 375 basis points for a subordinate-lien loan, the average commitment rate for loans in the northeast region with a comparable duration as published in the weekly Freddie Mac Primary Mortgage Market Survey (PMMS) in the week prior to the week in which the lender received a completed loan application.

Item L-1 Breakdown of First Lien Subprime Loans Closed on Properties in New York State

Table 1-A. Purchase/Refinance (NYS Only)

Report the number and dollar amount of first lien purchase money mortgage and refinanced loans closed.

Table 1-B. Fixed Rate/Adjustable Rate/Interest Only (NYS Only)

Report the number and dollar amount of Fixed Rate, Adjustable Rate and Interest Only loans (pricing breakdown of total first lien subprime loans - purchase and refinance – reported in Table 1-A, above).

Note: The totals reported in 1-B should equal the totals reported in Table A-1.

Table 1-C. Terms of Adjustable Rate Loans reported in Table 1-C (NYS Only)

Report the number and dollar amount for each term of adjustable rate loans reported in Table 1-B, above.

Note: The totals reported in 1-C should equal the totals reported in Table B-1 (v).

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Item L-2. Junior Lien Subprime Loans Closed on Properties in New York State

Report the number and dollar amount of junior lien subprime loans originated and closed in conjunction with a first mortgage.

M. REVERSE MORTGAGE LOANS

Note: Report actual whole dollar amounts. Figures containing 50 or more cents must be rounded up to the next dollar. For example, \$7,000,012.53 **must** be stated as \$7,000,013.

Item M-1. First Lien Reverse Mortgage Loan Applications Taken on Properties in New York State

Table 1-A. Home Equity Conversion Mortgages (HECM)

Report the number and dollar amount of first lien HECM loan applications taken by the Licensee on 1–4 family, owner-occupied, residential properties located in New York State.

Note: The number and amount reported in Table 1-A **cannot** be greater than the respective numbers and amounts reported for the entire U.S. (Table 2-A).

Table 1-B. Proprietary Reverse Mortgages (Section 280 and 280a Real Property Law)

Report the number and dollar amount of proprietary reverse mortgage loan applications taken under Section 280 and 280a real property law by the Licensee on 1–4 family, owner-occupied, residential properties located in New York State.

Note: The number and amount reported in Table 1-B **cannot** be greater than the respective numbers and amounts reported for the entire U.S. (Table 2-B)

Item M-2. First Lien Reverse Mortgage Loan Applications Taken on Properties in the U.S. (Including New York State)

Table 2-A. Home Equity Conversion Mortgages (HECM)

Report the number and dollar amount of first lien HECM loan applications taken by the Licensee on 1–4 family, owner-occupied, residential properties located in the U.S.

Note: The number and amount reported in Table 2-A are for properties in all 50 states, including New York. Therefore, these numbers and amounts **cannot** be less than the respective number and amounts reported for New York State alone. (Table 1-A)

Table 2-B. Proprietary Reverse Mortgages (Section 280 and 280a Real Property Law)

Report the number and dollar amount of proprietary reverse mortgage loan applications taken under Section 280 and 280a real property law by the Licensee on 1 – 4 family, owner-occupied, residential properties located in U.S.

Note: The number and amount reported in Table 2-B are for properties in all 50 states, including New York. Therefore, these numbers and amounts **cannot** be less than the respective number and amounts reported for New York State alone. (Table 1-B)

Item M-3. First Lien Reverse Mortgage Loans Closed on Properties in New York State

Table 3-A. Home Equity Conversion Mortgages (HECM)

Report the number and dollar amount of first lien HECM loans closed by the Licensee on 1-4 family, owner-occupied, residential properties located in New York State.

Note: The number and amount reported in Table 3-A **cannot** be greater than the respective numbers and amounts reported for the entire U.S. (Table 4-A)

Table 3-B. Proprietary Reverse Mortgages (Section 280 and 280a Real Property Law)

Report the number and dollar amount of proprietary reverse mortgage loans closed under Section 280 and 280a real property law by the Licensee on 1-4 family, owner-occupied, residential properties located in New York State.

Note: The number and amount reported in Table 3-B **cannot** be greater than the respective numbers and amounts reported for the entire U.S. (Table 4-B)

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Item M-4. First Lien Reverse Mortgage Loans Closed on Properties in the U.S. (Including New York State)

Table 4-A. Home Equity Conversion Mortgages (HECM)

Report the number and dollar amount of first lien HECM loans closed by the Licensee on 1 – 4 family, owner-occupied, residential properties located in the U.S.

Note: The number and amount reported in Table 4-A are for properties in all 50 states, including New York. Therefore, these numbers and amounts **cannot** be less than the respective number and amounts reported for New York State alone. (Table 3-A)

Table 4-B. Proprietary Reverse Mortgages (Section 280 and 280a Real Property Law)

Report the number and dollar amount of proprietary reverse mortgage loans closed under Section 280 and 280a real property law by the Licensee on 1-4 family, owner-occupied, residential properties located in the U.S.

Note: The number and amount reported in Table 4-B are for properties in all 50 states, including New York. Therefore, these numbers and amounts **cannot** be less than the respective number and amounts reported for New York State alone. (Table 3-B)

Please note revenues generated from Section M “Reverse Mortgage Loans” should be reflected in Section H-8(iii) “Other Earnings”.

N. LEAD INFORMATION

Note: If you do not generate Leads, please skip Section N.

Note: Report actual whole dollar amounts. Figures containing 50 or more cents must be rounded up to the next dollar. For example, \$7,000,012.53 **must** be stated as \$7,000,013.

Item N-1. Mortgage Leads Generated for Properties in New York State

Report the number of leads and dollar amount of aggregate mortgage financing requested for lead solicitations

on 1-4 family, owner-occupied, residential properties in New York State taken by the Licensee during the reported calendar year. Report all leads taken, regardless of whether or not they have closed.

The table for reporting the number of leads solicitation taken and the dollar amount applied for is divided into the following five categories:

1. Internet: Include leads solicitation generated from internet sites and/or email.
2. Telephone: Include leads solicitation generated via call centers and other telephonic means, including mobile phones.
3. Mail: Include leads solicitation taken via U.S. mail, including UPS, FedEx and other ground delivery services.
4. Others: Include leads solicitation generated via any other media not reported in categories 1 through 3 above.
5. Total: The sum of items 1 through 4 of N-1 above.
Note: This field is protected and **cannot** be altered.

Item N-2. Mortgage Leads Sold for Properties in New York State

Report the number and aggregate dollar of financing requested for mortgage leads sold by Licensee to related entities and or third-party lenders during the reported calendar year for 1-4 family, owner-occupied, residential properties in New York State.

The table for reporting the number of leads sold and the dollar amount applied for is divided into the following three categories:

1. Related Entity: Represents leads sold to related entities (i.e., parent, subsidiaries and affiliates)
2. Third-party: Represents leads sold to unrelated third party lenders or brokers.
3. Total: The sum of the information reported in item 1 through 2 in N-2 above. **Note:** This field is protected and **cannot** be altered.

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Item N-3. Mortgage Leads Closed on Properties in New York State

Report the number and dollar amount of mortgage leads which were brokered by the Licensee as mortgage loans and closed by a third-party lender during the reported calendar year for 1-4 family, owner-occupied, residential properties in New York State.

Also report leads closed in the Licensee's name under the FHA loan correspondent program.

The table for reporting number of leads closed and the dollar amount of leads closed are divided into the following three categories:

1. FHA Loans Closed in Licensee's Name: Include only FHA loans closed in the Licensee's name that resulted from leads taken by Licensee.
2. Other Mortgage Leads Closed: represents other mortgage leads resulting in mortgage loans brokered by the Licensee and closed by a third party.
3. Total: The total equals the sum of the information reported in item 1 through 2 in N-3 above. **Note:** No entry is required in this field as it is protected.

Item N-4. Lenders

List the top **three** entities, other than the Licensee, who provided and funded the largest number of mortgage leads closed reported during the reported calendar year for 1 – 4 family, owner-occupied, residential properties located in New York State.

State each entity's name, phone number, and mailing address, as well as, the full name of a contact person. Also state the total number of loans funded and the total dollar amount of loans funded by each lender.

Note: The aggregate number of mortgage leads closed and aggregate dollar amount of leads closed funded by the top lenders should **not** exceed the total number of loans and total dollar amount of loans closed as reported in Item N-3.

Please note revenues generated from Section N "Lead Generation Activities" should be reflected in Section H-8(iii) "Other Earnings".

O. TYPES OF LOANS MODIFIED

Note: Report actual whole dollar amounts. Figures containing 50 or more cents must be rounded up to the next dollar. For example, \$7,000,012.53 **must** be stated as \$7,000,013.

Item O-1. Mortgage Loans Modified

Report the number and dollar amount of mortgage loans that the Licensee successfully obtained a modification on behalf of the borrower during the reported calendar year for 1-4 family, owner-occupied, residential properties in New York State.

The table for reporting O-1 is divided into the following five categories:

1. Government Sponsored Enterprise: Include loans modified under the Home Affordable Modification Program ("HAMP") here.
2. VA: Include VA loans here.
3. FHA: Include FHA loans here.
4. Others: Include other mortgage loans modified here.
5. Total: The sum of 1 through 4 of O-1 above. **Note:** This field is protected and **cannot** be altered.

Item O-2. Further Details of Loans Modified on Properties in New York State

Provide details regarding the number and dollar amount of loans the Licensee successfully obtained a modification on behalf of the borrower during the reported calendar year for 1-4 family, owner-occupied, residential properties in New York State.

Table 2-A. Modifications (NYS Only)

Report first liens and second liens modified.

Total: The sum of (i) first lien and (ii) second lien.

Note: This field is protected and **cannot** be altered.

Table 2-B. Fixed Rate/Adjustable Rate/Interest Only (NYS Only)

Report the number and dollar amount of Fixed Rate, Adjustable Rate and Interest Only Loans that were modified during the calendar year. The information should be based on rate structure prior to loan modification. **Do not** include refinancing or CEMA transactions.

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Total: The sum of (iv) fixed rate, (v) adjustable rate, and (vi) interest only. **Note:** This field is protected and **cannot** be altered.

Table 2-C. Modification Programs (NYS Only)

Report the number and dollar amount for each loan you assisted in obtaining a modification under the Home Affordable Modification Program (“HAMP”) or Non-HAMP program.

Total: The sum of (viii) HAMP, and (ix) Non-HAMP. **Note:** This field is protected and **cannot** be altered.

Please note revenues generated from Section O “Modification activities” should be reflected in Section H-8(iii) “Other Earnings”.

AFFIDAVIT

If the VOOR is being submitted by mail, an owner or principal officer of the Licensee **must** complete and sign the Affidavit in the presence of a notary public.