



Branch Office Affirmation

(TO BE COMPLETED BY MORTGAGE BANKERS, MORTGAGE BROKERS AND MORTGAGE LOAN SERVICERS)

I, _____
Individual's Full Name (First, Last)
_____ of _____
Title Name of Entity

Do hereby subscribe and affirm, under penalty of perjury, that:

- I have personally reviewed the application and supporting documents submitted to establish the following branch office:

Branch NMLS No.: _____
 Street Address: _____ Floor/Suite: _____
 City: _____ State: _____ Zip Code: _____

- I certify that the application and supporting documents do not contain any untrue statement or omission of any material information or fact;
- The proposed branch location is not operated as a "net branch", as such term is defined in Section 38.1(u) of the General Regulations of the Superintendent, and is not operated under a "net branching" arrangement, whereby a party such as but not limited to the branch manager pays some or all of the expenses of the branch office, including but not limited to direct or indirect payments to mortgage loan originators, processors or lead providers or has control over the branch checking account;
- Occupancy of the proposed location by the applicant is governed by a Lease and/or Sub-lease agreement, inclusive of assignments, modifications and amendments, that complies with the following: (i) list the New York licensed name of the applicant; (ii) contains complete address including, suite or floor, as applicable, of the proposed location; (iii) covers a term of not less than 6 months and does not contain language making the lease a month-to-month lease or sublease; (iv) provides for exclusive use by the applicant, and (v) the space is designated for commercial use only;
 - Select if the premises/building where the proposed branch will be located is owned by the applicant or a principal owner of the applicant;
- The applicant received the landlord's consent to sublease for all premises with a master lease or assignment containing a provision that requires such consent;
- The Lease and/or Sub-lease agreement, as applicable was executed by an Executive Officer or control person who has been fully vetted by the Department as an officer or control person of the applicant;
- The proposed location is not used primarily for personal, household or family use;
- The branch manager (i) is a New York licensed Mortgage Loan Originator; (ii) does not and will not have the authority to independently hire or terminate branch employees, and (iii) the branch manager does not, as it relates to New York mortgage loan origination activities, receive compensation, including compensation for leads in the name of a separately incorporated entity or limited liability company;

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- The branch manager's compensation is governed by a Compensation Agreement dated _____, as of the date of filing the New York branch application through the Nationwide Multistate Licensing System ("NMLS");
- The applicant has established policies and procedures governing loan origination activities of the proposed branch office, including but not limited to the supervision and oversight of branch personal and inspection of branch operations;
- The proposed branch is under the direct supervision of the applicant and the applicant is currently registered or licensed as a mortgage broker, mortgage banker or mortgage loan servicer with the Department or has a pending application with the Department for registration or licensure as a mortgage broker, mortgage banker or mortgage loan servicer;
- The applicant has taken steps to ensure that the proposed branch location is properly structured to facilitate physical separation between the applicant's business activities and any other activities conducted on such premises;
 - Select if the proposed branch location shares space with or is physically located on the premises of a real estate firm, real estate broker, real estate salesperson or law office.
 - Select if the proposed branch location will be in an Executive Office Suite;
- That the owner and/or operator of the Executive Office Suite has granted the applicant exclusive use of private office identified as Suite _____, and that such space remains available to the applicant for continuous use during the period of rental which shall be no less than 6 months;
- I understand that false statements in this application are grounds for denial. Also, that the intentional offering of a written statement to a public official that contains a false statement of false information and swearing falsely to a statement are each punishable as a Class A Misdemeanor under Section 175.30 and Section 210.45 of the New York Penal Law;

Signature: _____

Date: _____

THIS FORM MUST BE COMPLETED BY AN OWNER OR OFFICER THAT HAS BEEN REVIEWED AND VETTED BY THE DEPARTMENT FOR THE ENTITY LISTED ABOVE IF SUCH ENTITY IS LICENSED OR REGISTERED WITH THE DEPARTMENT. FOR ENTITIES THAT ARE NOT CURRENTLY LICENSED OR REGISTERED WITH THE DEPARTMENT, THIS FORM MUST BE SIGNED BY THE INDIVIDUAL DESIGNATED AS THE OFFICER RESPONSIBLE FOR SUBMISSION OF THE ENTITY'S APPLICATION FOR LICENSING OR REGISTRATION.