



NEW YORK STATE  
DEPARTMENT *of*  
FINANCIAL SERVICES

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Instructions for Preparation of the  
**Mortgage Loan Servicer  
Volume of Servicing Report**

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Instructions for Preparation of the

# Mortgage Loan Servicer Volume of Servicing Report

## I. FILING REQUIREMENTS:

The Volume of Servicing Report (“VOSR”) is submitted pursuant to Section 597 of the New York Banking Law and Part 419 of the Superintendent Regulations, which require that each Servicer that is either registered or required to be registered with the superintendent or that is an exempt organization regulated by the Superintendent to compile and submit to the Superintendent, regular or special reports in the format required by the Superintendent.

In addition, the New York State Department of Financial Services utilizes the information provided on the VOSR to assess the level of resources needed in its overall regulation and oversight of mortgage-related entities. Furthermore, gross revenue figures are an integral part of the Department’s assessment process. Late filing of the VOSR and submission of erroneous information weaken the Department’s ability to effectively assign examiner resources, timely finalize its billing process, and adequately analyze industry trends.

**Frequency:** The VOSR is required to be submitted quarterly. The year-end 4th Quarter report must report servicing revenues for the full calendar year.

**Submission Deadline** for the **first three quarterly reports is no later than 30 days after the end of each quarter. Deadline for the 4th quarter is within 60 days of the calendar year-end.** Late, incomplete, or inaccurate submissions may result in fines and/or other regulatory actions.

**Note: 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. Furthermore, such penalty can be increased to \$20,000 per day, if the Department determines that the errors or omissions were not inadvertent or unintentional.**

**Mortgage Loan Servicing Organizations** must complete **ALL** Sections of the Loan Servicer VOSR. **Be sure that you are using the most recent Servicer VOSR form. Prior versions of the form will not be accepted.**

## II. AFFIDAVIT/ATTESTATION:

The owner or principal officer authorized to submit this report will be attesting **only** to the financial figures submitted in **Sections D through G**. The attestation does not apply to **Sections A and B** as this information is pre-filled by the Department. If the pre-filled information does not reflect current information for the organization, please submit the report and send us a letter explaining the differences.

### Specific Instructions

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

**Nationwide Mortgage Licensing System & Registry number (NMLS):** You are required to provide your NMLS number. The NMLS field requires all ten spaces to be filled. Therefore, you are required to input preceding zeroes 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](http://www.nationwidelicencingsystem.org).

**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).

## A. CONTACT INFORMATION

### Item A-1: Main Business Location (Pre -filled)

Changes in the organization’s name and address **must** have prior approval by the Department of Financial Services. For further information, consult the Department’s website ([www.dfs.ny.gov/banking/iambchname.htm](http://www.dfs.ny.gov/banking/iambchname.htm)).

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## **Item A-2: Head of Organization (Pre-filled)**

State the full name, title, phone number, and e-mail address for the head of the organization (i.e., the chairperson, president, chief executive officer, or principal owner).

## **Item A-3: Overall Contact (Pre -filled)**

The organization **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 fraud or abuse reports.

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 of Financial Services and should have the authority to discuss issues such as late or otherwise delinquent bills.

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 a different person than 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.

Include d/b/a, assumed, fictitious, and other names used by the organization.

## **B. GENERAL BUSINESS INFORMATION**

### **Item B-1: Alternate Business Names (Pre -filled)**

For the reporting period, list **all** names (other than what is listed in Item A-1) under which the organization conducted mortgage business on 1 - 4 family, residential properties in New York State. Attach additional pages as necessary.

## **C. REGULATORY ACTIONS**

During the reporting period or at any time since, other than New York, has any state, federal, or foreign regulatory authority denied, suspended, revoked, or restricted the authorization to conduct a financial services-related business by the organization or certain individuals associated with it? These individuals include the organization'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.

## **D. LOAN SERVICING REVENUE**

**Note: Report actual whole dollar amounts.** Figures containing cents equaling 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.

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## Item D-1: Accounting Basis

Mark the box next to the accounting basis (accrual or cash) used to report amounts in Part D. 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 D. If you are unsure which basis is used by the organization, consult your accountant.

## Item D-2 Gross Revenue Earned

**General Instructions:** For the reporting period, provide information on any revenue earned in connection with mortgage loans serviced for 1 - 4 family residential **properties located in New York State.**

1. **Loan-Servicing:** Include fees earned on first mortgage loans, second mortgage loans, reverse mortgage loans and all other loans for which your institution owns the mortgage servicing rights.
2. **Loan Sub-Servicing:** Include fees earned on loans for which your institution does not own the servicing rights. Also, include subservicing fees on loans subserviced for affiliates.
3. **Servicing Advances:** Include revenue from servicing advances.
4. **Late Fees/charges:** Include late charge penalties and fees collected from borrowers for loan processing expenses.
5. **Bulk Sale of Servicing Rights:** Include revenue from bulk sale of servicing rights. **Other Revenue:** Include all other revenue not reported above, in-

cluding fees collected for services such as credit report fees, appraisal fees, or an attorney fee. **Do not** include fees which are passed through or paid to third party.

6. **Other Revenue:** Include all other revenue not reported above, including fees collected for services such as credit report fees, appraisal fees, or an attorney fee. Do not include fees which are passed through or paid to third party.
7. **Interest Revenue:** Include interest revenue from servicing related to P&I and T&I custodial accounts.
8. **Total Revenue Earned:** The sum of fields 1 through 7 above. **Note:** This field is protected and **cannot** be altered.

## E. AGGREGATE FIRST LIEN LOAN INFORMATION

### Item E-1: First Lien Amortizing (P & I) Loans Serviced on Properties Located in New York State.

Provide information for prime, sub-prime and Alt-A first lien mortgage loans serviced as of the reporting period for 1- 4 family, residential properties located in New York State. You may reference **Section 419.12(a)** of the Regulations.

Provide a breakdown of these mortgage loans using the categories in the tables below.

**Note: If the company doesn't offer such services or category is not applicable, must input zero into the designated column.**

### Breakdown by Loan Type

The table for reporting the number of loans serviced and the unpaid principal balance is divided into **seven** categories, as follows:

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1. Veteran Affairs: Include the number of loans and the unpaid principal balance for VA loans here. Do not include High Cost Home Loans.

2. Federal Housing Administration: Include the number of loans and the unpaid principal balance for FHA loans here. Do not include High Cost Home Loans.

3. Conventional: Include the number of loans and the unpaid principal balance for 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. Non-conforming /Jumbo: Include the number of loans and the unpaid principal balance for nonconforming/Jumbo loans which exceed FMNA/FHLMC limits. Do not include High Cost Home Loans.

5. High Cost Home Loans: Include the number of loans and the unpaid principal balance for High Cost Home Loans here.

6. Reverse Mortgage: Include the number of loans and the unpaid principal balance for reverse mortgages here.

7. U.S Department of Agriculture: Include the number of loans and the unpaid principal balance for USDA loans here. Do not include High Cost Home Loans.

8. Total: The sum of fields **1 through 7 above**. Note: This field is protected and cannot be altered.

## **Item E-2: First Lien Amortizing (P & I) Loans Serviced on Properties Located in the U.S. (Including New York State).**

Provide information for prime, sub-prime and Alt-A first lien mortgage loans serviced as of the reporting period for 1- 4 family, residential properties located in the U.S. (Including New York State). You may reference **Section 419.12(a)** of the Regulations.

Provide a breakdown of these mortgage loans using the categories in the tables below.

**Note: If the company doesn't offer such services or category is not applicable, must input zero into the designated column.**

### **Breakdown by Loan Type**

The table for reporting the number of loans serviced and the unpaid principal balance is divided into **seven** categories, as follows:

1. Veteran Affairs: Include the number of loans and the unpaid principal balance for VA loans here. Do not include High Cost Home Loans.

2. Federal Housing Administration: Include the number of loans and the unpaid principal balance for FHA loans here. Do not include High Cost Home Loans.

3. Conventional: Include the number of loans and the unpaid principal balance for 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. Non-conforming /Jumbo: Include the number of loans and the unpaid principal balance for nonconforming/Jumbo loans which exceed FMNA/FHLMC limits. Do not include High Cost Home Loans.

5. High Cost Home Loans: Include the number of loans and the unpaid principal balance for High Cost Home Loans here.

6. Reverse Mortgage: Include the number of loans and the unpaid principal balance for reverse mortgages here.

7. U.S Department of Agriculture: Include the number of loans and the unpaid principal balance for USDA loans here. Do not include High Cost Home Loans.

8. Total: The sum of fields **1 through 7 above**. Note: This field is protected and cannot be altered.

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## **Item E-3: Junior Lien Amortizing (P &I) Loans Serviced on Properties Located in New York State.**

Provide information for prime, sub-prime and Alt-A for junior lien mortgage loans (including HELOS and HEL-OCS) serviced as of the reporting period for 1 – 4 family, residential properties located in New York State.

**Note: If the company doesn't offer such services or category is not applicable, must input zero into the designated column.**

### **Junior Lien Type**

Provide the breakdown by loan types for junior lien mortgage loans serviced as of the reporting period for 1 – 4 family, residential properties located in New York State. You may reference **Section 419.12(a)** of the Regulations.

The table for reporting the number of loans serviced and the unpaid principal balance is divided into three categories, as follows:

1. Open Ended: Include the number of loans and the unpaid principal balance for Open Ended loans here. **Do not** include High Cost Home Loans.
2. Closed Ended: Include the number of loans and the unpaid principal balance for Closed Ended loans here. **Do not** include High Cost Home Loans.
3. High Cost Home Loans: Include the number of and the unpaid principal balance for High Cost Home Loans here.
4. Total: The sum of fields 1 through 3 above.  
**Note:** This field is protected and **cannot** be altered.

## **Item E-4: Junior Lien Amortizing (P &I) Loans Serviced on Properties in the U.S. (Including New York State).**

Provide information for prime, sub-prime and Alt-A for junior lien mortgage loans (including HELOS and HEL-OCS) serviced as of the reporting period for 1 – 4 family, residential properties located in the U.S. (including New York State).

## **Junior Lien Loan Type**

Provide the breakdown by loan types for junior lien mortgage loans serviced as of the reporting period for 1 – 4 family, residential properties located in the U.S. (including New York State). You may reference **Section 419.12(a)** of the Regulations.

**Note: If the company doesn't offer such services or category is not applicable, must input zero into the designated column.**

The table for reporting the number of loans serviced and the unpaid principal balance is divided into three categories, as follows:

1. Open Ended: Include the number of loans and the unpaid principal balance for Open Ended loans here. Do not include High Cost Home Loans.
2. Closed Ended: Include the number of loans and the unpaid principal balance for Closed Ended loans here. Do not include High Cost Home Loans.
3. High Cost Home Loans: Include the number of and the unpaid principal balance for High Cost Home Loans here.
4. Total: The sum of fields 1 through 3 above. Note: This field is protected and cannot be altered.

## **F. MORTGAGE LOANS IN DEFAULT AND FORECLOSURE**

### **Item F-1: First Lien Mortgage Loans in Payment Default Being Serviced**

Provide the number of loans serviced and the unpaid principal balance for all first lien mortgage loans that the organization is servicing that are in payment default for 1 – 4 family, residential properties located in New York State. You may reference **Section 419.12(b)** of the Regulations.

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**Note: If the company doesn't offer such services or category is not applicable, must input zero into the designated column.**

## **Table 2-A: Further Details on Rate Structure for First Lien Loans in Payment Default by length of payment delinquency**

The tables for reporting the number of loans serviced and the unpaid principal balance for **fixed rate, adjustable rate, and sub-prime** first lien mortgage loans, for the length of payment delinquency, is divided into four categories, as follows:

1. 30 Days: Include the number of and the unpaid principal balance for loans 30 days late here.
2. 31-60 Days: Include the number of and the unpaid principal balance for loans 31-60 days late here.
3. 61-90 Days: Include the number of and the unpaid principal balance for loans 31-60 days late here.
4. More than 91 Days: Include the number of and the unpaid principal balance for loans more than 91 days late here.
5. Total: The sum of fields 1 through 4 above.  
**Note:** This field is protected and **cannot** be altered.

## **Item F-2, Junior Lien Mortgage Loans in Payment Default Being Serviced**

Provide the number of loans serviced and the unpaid principal balance for junior lien mortgage loans that the organization is servicing that are in payment default for 1 – 4 family, residential properties located in New York State. You may reference Section 419.12(b) of the Regulations.

**Note: If the company doesn't offer such services or category is not applicable, must input zero into the designated column.**

## **Table 2-A: Further Details on Rate Structure for Junior Lien Loans in Payment Default by length of payment delinquency**

The tables for reporting the number of loans serviced and the unpaid principal balance for **fixed rate, adjustable rate, and sub-prime** junior lien mortgage loans, for the length of payment delinquency, is divided into four categories, as follows:

1. 30 Days: Include the number of and the unpaid principal balance for loans 30 days late here.
2. 31-60 Days: Include the number of and the unpaid principal balance for loans 31-60 days late here.
3. 61-90 Days: Include the number of and the unpaid principal balance for loans 31-60 days late here.
4. More than 91 Days: Include the number of and the unpaid principal balance for loans more than 91 days late here.
5. Total: The sum of fields 1 through 4 above.  
**Note:** This field is protected and **cannot** be altered.

## **G. LOAN SERVICING INFORMATION- INTEREST ONLY**

### **Item G-1: Interest Only First Lien Loans Serviced on Properties Located in New York State**

Provide the “**interest only**”, first lien mortgage loans serviced for the reporting period for 1 – 4 family, residential properties located in New York State.

**Note: If the company doesn't offer such services or category is not applicable, must input zero into the designated column.**

### **Table 1-A: Breakdown on Interest Only First Lien by Loan Type**

Provide the breakdown by loan types for “**interest only**” first lien mortgage loans serviced as of the reporting period for 1 – 4 family, residential properties located in New York State. You may reference **Section 419.12(a)** of the Regulations.

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The table for reporting the number of loans serviced and the unpaid principal balance is divided into six categories, as follows:

1. **Veteran Affairs:** Include the number of and the unpaid principal balance for VA loans here. Do not include High Cost Home Loans.
2. **Federal Housing Administration:** Include the number of and the unpaid principal balance for FHA loans here. **Do not** include High Cost Home Loans.
3. **Conventional:** Include the number of and the unpaid principal balance for 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. **Non-conforming /Jumbo:** Include the number of loans and the unpaid principal balance for nonconforming/Jumbo loans which exceed FMNA/FHLMC limits. **Do not** include High Cost Home Loans.
5. **High Cost Home Loans:** Include the number of and the unpaid principal balance for High Cost Home Loans here.
6. **Reverse Mortgage:** Include the number of and the unpaid principal balance for reverse mortgages here.
7. **Total:** The sum of fields 1 through 6 above.  
**Note:** This field is protected and cannot be altered.

## **AFFIDAVIT**

The VOSR online affidavit **must** be completed and signed by an owner or principal officer of the organization.