

Inv. Fee: _____

Check No: _____

Receipt No: _____

STATE OF DELAWARE
OFFICE OF THE STATE BANK COMMISSIONER
555 EAST LOOCKERMAN STREET
SUITE 210
DOVER, DELAWARE 19901

LICENSED LENDER APPLICATION
(Chapter 22, Title 5, Del.C.)

Website Address: _____

1. Business name of applicant: _____

2. Contact person, title, e-mail and phone number for application (include extensions):

3. a. Please list the principal location and each additional location where Delaware business will be conducted. *These do not have to be located within Delaware.*

Principal location, including telephone number, to be licensed:

No. & Street	City	County	State	Zip Code	Phone

Additional locations, including telephone number, to be licensed:

(Please attach the branch manager's resume.)

No. & Street	City	County	State	Zip Code	Phone

No. & Street	City	County	State	Zip Code	Phone

No. & Street	City	County	State	Zip Code	Phone

b. Is any location for which you are requesting a license considered a "net branch"? Yes No

If yes, please provide all details of the arrangement, including (but not limited to) the participating company, names, titles, addresses and telephone numbers of the principals, compensation arrangements, etc.

NOTE: In accordance with HUD Mortgage Letter 00-15, the practice of a HUD/FHA approved mortgagee “taking on an existing, separate mortgage company or broker as a branch and allowing that separate entity to originate insured mortgages under the approved mortgagee’s HUD mortgage number” constitutes a **prohibited** net branch arrangement.

4. Address where loan files and other records will be kept for examination purposes:

5. How is applicant organized:

____ Corporation ____ Partnership ____ LLP ____ LLC

____ Sole Proprietorship ____ Other: _____

6. **CORPORATIONS ONLY** - Please provide the following information:

a. Date of incorporation: _____

b. Place of incorporation: City of _____ County of _____
State _____

c. If *applicant company* (not parent) is widely held publicly, items d. through h. do not need to be completed. Instead, please provide a copy of the Board Resolution authorizing this company’s purpose.

d. Attach a schedule listing the principal or senior officers’ full names, titles, business addresses, and occupations.

e. Attach a schedule listing the Directors of the Corporation including full names, titles, business addresses, and occupations.

f. Personal resumes for all principal officers and directors must be submitted **with** this application.

g. Personal financial statements for all principal officers and directors must be submitted **with** this application.

h. Attach a schedule listing the stockholders of the corporation including full names, business addresses, and number of shares held.

i. Please provide a current balance sheet (asset/liability statement) and an income statement (profit/loss statement) of the applicant company.

j. If applicant’s capital stock is owned, in whole or in part, by a parent company, submit a corporate financial statement for the parent company with this application.

k. Are the stockholdings of any person listed in h. held in a name other than the stockholder’s real name? _____ If so, provide a schedule listing name, address, holding and beneficial owner of stock.

I. Please provide proof that the applicant has registered with the Delaware Division of Corporations, whether as a Delaware corporation or a foreign corporation.

7. **LLC ONLY** - Please provide the following information:

- a. Date of formation: _____
- b. Place of formation: _____
City County State
- c. Attach a schedule listing all senior management including full names, titles, business addresses, and occupations.
- d. Attach a schedule listing all persons (individuals or businesses) having an ownership interest (members) in the applicant including, as applicable, all the details requested in c. as well as each percentage of ownership.
- e. Personal resumes and personal financial statements for all senior management and for all individual members must be submitted **with** this application.
- f. Please provide a recent balance sheet (asset/liability statement) and an income statement (profit/loss statement) of the applicant company.
- g. Please submit the following for businesses that are members of the applicant: a recent balance sheet (asset/liability statement) and income statement (profit/loss statement); a list of all persons (individuals or businesses) with an ownership interest (names and addresses).
- h. **Please provide proof that the applicant has registered with the Delaware Division of Corporations, whether as a Delaware LLC or a foreign LLC.**

8. **PARTNERSHIP, LLP ONLY** - Please provide the following information:

- a. Date of formation: _____
- b. Place of formation: _____
City County State
- c. Attach a schedule listing all senior management including full names, titles, business addresses and occupations.
- d. Attach a schedule listing all persons (individuals or businesses) having an ownership interest (partners) in the applicant including, as applicable, all the details requested in c. as well as each percentage of ownership.
- e. Personal resumes and personal financial statements for all senior management and for all individual partners must be submitted **with** this application.
- f. Please provide a recent balance sheet (asset/liability statement) and an income statement (profit/loss statement) of the applicant company.

- g. Please submit the following for businesses that are partners of the applicant: a recent balance sheet (asset/liability statement) and income statement (profit/loss statement); a list of all persons (individuals or businesses) with an ownership interest (names and addresses).

9. **SOLE PROPRIETORSHIP ONLY** - Please provide the following information:

- a. Date of formation: _____
- b. Place of formation: _____
City County State
- c. Attach a schedule listing the owner's full name, business address, and occupation.
- d. Attach a schedule listing principal members of management of the applicant other than the owner, including full names, titles and business addresses.
- e. Personal resumes for the owner and principal members of management of the applicant must be submitted **with** this application.
- f. Please submit detailed business **and** personal financial statements for the owner/applicant that are no more than six (6) months old. Include a recent balance sheet (asset/liability statement) and an income statement (profit/loss statement).

10. **OTHER** - Please provide the following information:

- a. Type of formation: _____
- b. Date of formation: _____
- c. Place of formation: _____
City County State
- d. A list of all principals of the applicant must be submitted with this application including full names, business addresses, and percentage of ownership of the applicant, if any.
- e. Personal resumes and personal financial statements for all principals of the applicant must be submitted **with** this application.
- f. Please submit detailed business **and** personal financial statements for the owner/applicant that are no more than six (6) months old. Include a recent balance sheet (asset/liability statement) and an income statement (profit/loss statement).

ALL APPLICANTS:

- 11. All applicants must provide information regarding their registered agent for service of process in Delaware.
 - a. Businesses organized in Delaware may designate the business itself, an individual resident in this State or another business authorized to transact business in this State **provided the designee is located in Delaware** in accordance with Section 132(a), Title 8 of the Delaware Code.

- b. Businesses organized in locations other than Delaware may designate an individual resident in this State or another business authorized to transact business in this State **provided the designee is located in Delaware** in accordance with Section 371(b)(2), Title 8 of the Delaware Code.

Name, street address, and telephone number of registered agent:

12. Have you or any owner, officer, director, partner, member, principal, employee or agent of your organization ever been arrested, indicted or convicted of a criminal offense? Yes _____ No _____
13. Have you or any owner, officer, director, partner, member, principal, employee or agent of your organization ever used any alias or been known by any other name? Yes _____ No _____
14. Has the applicant company, you or any owner, officer, director, partner, member, principal, employee or agent of your organization ever had any license denied, suspended, or revoked or denied access to any lending programs (such as FHA, VA or HUD); or has any state taken any disciplinary actions of any type? Yes _____ No _____
15. If the answer to 12, 13 or 14 is "yes", attach a schedule giving details. If the answer to 14 is yes, please include photocopies of any legal documents that pertain to the matter (i.e., Consent Agreement, Cease and Desist Order, Revocation Order, Reinstatement Order, etc.).
16. If the person who subscribes to this application cannot swear to the truth on behalf of any individual listed in 12 through 14, attach an affidavit by such individual.
17. Describe the lending activities in which the licensee intends to engage. Specifically, if available, provide the company's strategic business plan. Describe the specific type(s) of lending in which your company intends to engage. Describe the size of the operation including overall staffing projections for the Delaware business operation(s). If you intend to conduct business other than lending at the same licensed location please provide a detailed description of that business activity. (Attach separate document.) **Note: If locations to be licensed are outside Delaware, include an explanation of how those locations will be transacting the business of lending money in this State.**
18. Do you offer insurance products **other than credit life and A&H insurance**?
_____ Yes _____ No

If yes, provide a list of all products offered and attach copies of all letters from this office **(there should be one per product)** giving the company permission to offer the listed products in accordance with Section 7.2 of Regulation 2201.

19. Is applicant familiar with all applicable statutes and regulations including all required reports and their schedules? Yes _____ No _____

20. Please read **and sign** the following:

I have read Section 127, Title 5 of the Delaware Code, and understand that in addition to renewing this license annually, we will also be assessed an annual supervisory assessment fee of not less than \$1,000.00 if our loan files are maintained outside the State of Delaware, or \$500.00 if our loan files are maintained inside the State of Delaware.

(Signature)

(Title)

21. Attach a list of other states in which the applicant is transacting business (licensed or unlicensed), and the nature of the business transacted. Submit the name, address and telephone number of the regulatory authority for each state listed.

22. **BUSINESS REFERENCES:** We must receive a minimum of three (3) letters of reference from businesses currently doing business with the applicant company. These can be the CPA, attorney, bank or other type of business. **(One letter must be from a bank.) Each letter must refer to the applicant company, not an individual within the company.**

PLEASE NOTE:

It is the applicant's responsibility to contact these references and have each send a letter of reference **directly** to the *Office of the State Bank Commissioner at 555 East Loockerman Street, Suite 210, Dover, DE 19901, Attention: Licensing Department.* Copies of the applicant's letters requesting these references must be submitted with this application. **No reference letters will be accepted or considered if they are not provided directly from the reference source.**

23. a. Applicant must provide an original surety bond in accordance with the requirements of Regulation No. 2204. The bond shall run to the State for a period commensurate with the license or be continuous, and shall be conditioned that the licensee shall comply with Chapter 22, Title 5 of the Delaware Code. Please use the bond form available at:

<http://banking.delaware.gov/services/applicense/forms/llbond.pdf>

b. Provide the name, address and telephone number of your bond company that this office should use to file a claim against the bond, if necessary.

c. In lieu of a surety bond, applicant may provide an original irrevocable letter of credit in accordance with Section 2208(b), Title 5 of the Delaware Code, and Regulation No. 2204.

24. Copies of all documents to be used in the conduct of the applicant's business in this state must be submitted with this application.
25. Provide a list of mortgage loan originators with Delaware licenses that will be working at the location(s) for which you are applying. The list **MUST** include names, NMLS numbers and a work location.
26. A non-refundable investigation fee of \$250.00 *per location to be licensed* **must** accompany this application. Upon approval and prior to issuance of a license, a license fee of \$250.00 *per location to be licensed* must also be remitted. **Make checks payable to Office of the State Bank Commissioner.**

NOTE: Upon approval, in addition to the required licensing fee(s), applicants intending to make short term consumer loans, as defined in Section 2227, Title 5; and title loans as defined in Section 2250, Title 5; will be required to pay a surcharge in the amount of \$1,500.00 per licensed location before receiving license(s).

If you have any questions regarding this application, please contact our licensing department at 302-739-4235.

This application must be signed and sealed (if applicable) by a principal of the applicant (president, vice-president, majority partner, majority member, owner, etc.), attested to by another principal and notarized. In cases of applicants with a single principal, having that signature notarized will suffice.

I hereby certify that I am authorized to sign and submit this application for licensure on behalf of the applicant company, in my role as principal of said applicant company, and that the information contained herein is true and correct to the best of my knowledge and belief.

**SEE ATTACHED AUTHORIZATION AND RELEASE FORM AND
CERTIFICATION OF AGENT**

(Signature)

(Print Name)

(Title)

CORPORATE SEAL
If no seal, check here _____

(Date)

I hereby certify as a principal of the applicant company that the person whose signature appears above is authorized to sign for the applicant company and submit this application for licensure.

(Signature)

(Title)

(Date)

Subscribed and sworn to before me this _____ day of _____, 2_____.

NOTARY PUBLIC

NOTARY SEAL

IMPORTANT NOTICE TO ALL RESIDENTIAL MORTGAGE LENDERS AND ORIGINATORS:

The Financial Crimes Enforcement Network (FinCEN) issued a final rule requiring residential mortgage lenders and originators to establish anti-money laundering (AML) programs and report suspicious activities (SARs) under the Bank Secrecy Act (BSA). The rule was effective April 16, 2012 and the compliance date was August 13, 2012.

The final rule requires non-bank residential mortgage lenders and originators to establish AML programs and file SARs. The AML requirements include:

- Policies, procedures and internal controls based on the company’s risk assessment associated with its products and services. Mortgage lenders and originators should integrate agents and brokers into its AML program and obtain all relevant customer related information necessary for an effective AML program.
- Designate a compliance officer.
- Provide for on-going training for appropriate persons concerning their responsibilities under the AML program.
- Provide for independent testing to monitor and maintain an adequate program. Mortgage lenders and originators must file SARs thirty days from detection, if it is \$5000 or more and must retain the documentation for five years.

A determination of compliance with these new requirements will be part of examinations by this office. More information regarding the final rule and the requirements can be obtained at www.FinCEN.gov.

By signing below, the principal of the applicant indicates he/she is familiar with the above described requirements and that the applicant company and its originators are prepared to comply.

Signature

Printed name, Title, Date

To be read and signed by all applicants intending to engage in the business of making short term consumer loans (aka payday loans) as defined in Section 2227(7), Title 5 of the Delaware Code:

By signing below, the principal of the applicant confirms that he/she has read and is familiar with Sections 2235A, 2235B, and 2235C, Title 5 of the Delaware Code (effective January 1, 2013) and that the applicant is prepared to comply with the requirements of those sections.

Signature

Printed Name, Title, Date

To be read and signed by all applicants intending to engage in the business of making short term title loans as defined in Section 2250(4), Title 5 of the Delaware Code:

By signing below, the principal of the applicant confirms that he/she has read and is familiar with Subchapter V, Chapter 22, Title 5 of the Delaware Code regarding title lending, and that the applicant is prepared to comply with the requirements of that subchapter.

Signature

Printed Name, Title, Date

LICENSED LENDER FACT SHEET

Name of Licensee: _____

Employer Identification Number: _____

A contact **and all requested information** must be provided for each of the following categories.

Supervisory Assessment _____
Name and Title Telephone # Extension

Email Address Fax #

Mailing Address

License Renewal _____
Name and Title Telephone # Extension

Email Address Fax #

Mailing Address

Examination _____
Name and Title Telephone # Extension

Email Address Fax #

Mailing Address

Complaints _____
Name and Title Telephone # Extension

Email Address Fax #

Mailing Address

Public Contact _____
Name and Title Telephone # Extension

Email Address Fax #

Mailing Address

MLO Contact _____
Name and Title Telephone # Extension

Email Address Fax #

Mailing Address

Changes in contact information must be reported to the Office of the State Bank Commissioner immediately.

AUTHORIZATION AND RELEASE

Each person listed below, by and through _____
(Person with authority to submit application)
as that person's authorized agent, hereby consents to the State Bank Commissioner of the State of Delaware and any employee, agent or representative that the State Bank Commissioner may designate (collectively the "Commissioner") conducting such investigation of that person as the Commissioner deems necessary or appropriate in connection with this application. Each such person also agrees to provide the Commissioner with any information that the Commissioner requests, and authorizes the Commissioner to disclose any information concerning that person and the results of the investigation to any person, agency, court, institution, association or other entity that the Commissioner, in the Commissioner's sole discretion, deems appropriate as part of the investigation.

Each such person further authorizes and requests every person, agency, court, institution, association or other entity having possession, custody or control of any information pertaining to that person to provide the Commissioner with any information requested, including documents, records, files regarding charges, complaints or grievances involving that person (whether formal or informal, pending or closed), or other data, and to permit the Commissioner to inspect and copy such information, documents, records, files, and data.

Each such person hereby specifically releases, discharges, and exonerates the Commissioner, all employees, agents and representatives of the Commissioner, and any person, agency, court, institution, association or other entity so providing information to the Commissioner, from any and all claims and liability of every nature and kind whatsoever (including claims and liability for any negligence of any type) arising out of, or in any way related to, the Commissioner's investigation and the providing, inspecting, disclosing or copying of such information, documents, records, files, and data.

CERTIFICATION OF AGENT

I, _____, hereby certify that I have given a copy of
(Person with authority to submit application)

this Authorization and Release to each of the following persons:

and each such person has explicitly authorized and appointed me as an agent to
execute this document for that person.

Signature of Authorized Person

State of

County of

Subscribed and sworn to before me this _____ day of _____, 2_____.

NOTARY PUBLIC

NOTARY SEAL

Business Survey

Licensee: _____

Please indicate the types of lending in which your company engages under your Delaware Licensed Lenders license: (check all that apply)

- Purchase Money Mortgages up to 80%
- Purchase Money Mortgages up to 100%
- Piggyback/Purchase Money (closed simultaneously)
- Construction/Permanent
- Mortgage Refinance Loans up to 80%
- Mortgage Refinance Loans more than 80% but not more than 100%
- Mortgage Refinance Loans up to 125%
- Equity Loans (closed end) up to 80%
- Equity Loans (closed end) up to 100%
- Equity Loans (closed end) up to 125%
- Equity Loans (open end) up to 80%
- Equity Loans (open end) up to 100%
- Equity Loans (open end) up to 125%
- Refund Anticipation Loans
- Reverse Mortgages
- HOEPA Loans
- Negative Amortization Loans (if more than 1 product describe below)
- Short Term consumer Loans (\$1000 or less; repayment period of less than 60 days)
- Unsecured Consumer Loans (repayment period of more than 60 days)
- Secured Consumer Loans (repayment period more than 60 days; not secured by real property or motor vehicle)
- Consumer Loan, secured by motor vehicle title (repayment terms of 181 days or more)
- Title Loans
- Loans for the purchase of a motor vehicle (not on retail sales contracts)
- Purchase of distressed closed loans (no origination or refinancing)

Subprime

List your subprime products, if not listed above. If listed above, place an asterisk beside each of your subprime products.

Contact Name, Phone Number and Date