

FOR OFFICE USE ONLY
Invoice Fee: _____
Check No.: _____
Receipt No.: _____

STATE OF DELAWARE
OFFICE OF THE STATE BANK COMMISSIONER
1110 FORREST AVENUE
DOVER, DELAWARE 19904

Telephone No. (302) 739-4235

www.banking.delaware.gov

Fax No. (302) 739-2356

CASHING OF CHECKS, DRAFTS AND MONEY ORDERS
APPLICATION
(Chapter 27, Title 5, Delaware Code)

Website Address: _____

1. Name of applicant: _____

(Include all d/b/a's. Name must be the same as on the surety bond)

FIN or SSN: _____

2. Contact person and phone number for application:

Name/Title	Telephone Number/Extension	Fax No.	Email Address
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3. Address of principal office where Delaware business will be conducted.

No. & Street	City	State	Zip Code	Telephone #
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4. Additional locations to be licensed. **(Please attach the branch manager's resume)**

No. & Street	City	State	Zip Code	Telephone #
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No. & Street	City	State	Zip Code	Telephone #
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5. If application is for a **mobile unit** license, please provide the following:

a. Boundaries of the area in which business will be operated:

b. Delaware registration number and other identifying data of the vehicle:

c. Address of administrative/main office:

6. Address where required records will be kept for examination purposes:

7. Applicant is formed as a:

Corporation Partnership Sole Proprietorship LLC LP LLP
 Other (provide type) _____

8. **CORPORATIONS ONLY** – Please provide the following information:

a. Date of incorporation: _____

b. Place of incorporation:

City _____ County of _____ State _____

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

d. Attach a list of all the principals or senior officers’ full names, titles, residence addresses, business addresses, dates of birth and occupations.

e. Attach a list of all the directors of the Corporation including full names, titles, residence addresses, business addresses, dates of birth, occupations and date term expires.

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

g. Attach a list of all individuals and businesses with an ownership interest in the applicant, including full name, residential address, business address, number of shares held and percentage of ownership. If the applicant is a subsidiary of a parent company, provide the entire ownership chain up to the ultimate owner (individual or publicly traded company).

h. A recent Balance Sheet (**must reflect a minimum of \$5,000.00 in liquid assets in accordance with Section 2715, Title 5 of the Delaware Code**) and Income Statement (Profit/Loss) of the applicant (within the last six months).

- i. If the applicant’s capital stock is owned in whole or in part by a parent company, a recent Balance Sheet and Income Statement (Profit/Loss) must be submitted for the parent (within the last six months).
- j. Are the stockholdings of any person listed in g. held in a name other than the stockholder’s real name? _____. If yes, provide a schedule listing name, address, holding and beneficial owner of stock.
- k. Proof that the applicant has registered with the Delaware Division of Corporations, whether as a Delaware corporation or a foreign corporation.**

9. **LLC ONLY** – Please provide the following information:

- a. Date of formation: _____
- b. Place of formation:
 City _____ County of _____ State _____
- c. Attach a list of all senior management including full names, titles, residence addresses, business addresses, dates of birth and occupations.
- d. Personal resumes and personal financial statements for all senior management and all individual members must be submitted **with** this application.
- e. Attach a list of all members (individuals or businesses) having an ownership interest in the applicant including, as applicable, all the details requested in c., as well as percentage of ownership for each.
- f. A recent Balance Sheet (**must reflect a minimum of \$5,000.00 in liquid assets in accordance with Section 2715, Title 5 of the Delaware Code**) and Income Statement (Profit/Loss) of the applicant (within the last six months).
- g. A recent Balance Sheet and Income Statement (Profit/Loss) for businesses that are members of the applicant. Submit personal financial statements for individuals who are members of the applicant. (Financial statements must be within the last six months).
- h. Proof that the applicant has registered with the Delaware Division of Corporations, whether as a Delaware LLC or a foreign LLC.**

10. **PARTNERSHIP, LLP ONLY** – Please provide the following information:

- a. Date of formation: : _____
- b. Place of formation:
 City _____ County of _____ State _____

- c. Attach a list of all senior management including full names, titles, residence addresses, business addresses, dates of birth and occupations.
- d. Personal resumes and personal financial statements for all senior management and all individual partners must be submitted **with** this application.
- e. Attach a list of all partners (individuals or businesses) having an ownership interest in the applicant including, as applicable, all the details requested in c., as well as percentage of ownership for each.
- f. A recent Balance Sheet (**must reflect a minimum of \$5,000.00 in liquid assets in accordance with Section 2715, Title 5 of the Delaware Code**) and Income Statement (Profit/Loss) of the applicant (within the last six months).
- g. A recent Balance Sheet and Income Statement (Profit/Loss) for businesses that are partners of the applicant. Submit personal financial statements for individuals who are partners of the applicant (Financial statements must be within the last six months).
- h. **Proof that the applicant has registered with the Delaware Division of Corporations, whether as a Delaware LLP/LP or a foreign LLP/LP.**

11. **SOLE PROPRIETORSHIP ONLY** – Please provide the following information:

- a. Date of formation: _____
- b. Place of formation:
 City _____ County of _____ State _____
- c. Attach a schedule listing the owner’s full name, residence address, business address, date of birth and occupation.
- d. Attach a list of 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. Detailed business and recent personal financial statements (within the last six months) of the owner/applicant. Include a recent Balance Sheet and Income Statement (Profit/Loss). (**Must reflect a minimum of \$5,000.00 in liquid assets in accordance with Section 2715, Title 5 of Title 5 of the Delaware Code**).

12. **OTHER** – Please provide the following information:

- a. Type of formation: _____
- b. Date of formation: _____

c. Place of formation:

City _____ County of _____ State _____

d. Attach a list of all principals of the applicant including full names, residence addresses, businesses addresses, date of birth 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. Detailed business and recent personal financial statements (within the last six months) of the owner/applicant. Include a recent Balance Sheet and Income Statement (Profit/Loss). **(Must reflect a minimum of \$5,000.00 in liquid assets in accordance with Section 2715, Title 5 of the Delaware Code).**

ALL APPLICANTS:

13. 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 of 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:

14. Provide proof that the licensee is appropriately registered with the federal government (FinCEN) as a money service business. All potential MSBs need to provide proof of registration or a written explanation of why they don't have to register.

15. **If you are cashing checks over \$1,000 in value, you must be compliant with all items listed in the attached Addendum (PAGE 9) concerning Anti-Money Laundering Programs for Money Services Businesses (MSB's), and Standards for Safeguarding Customer Information. A copy of all procedures or items requested in the Addendum must be submitted for review with your renewal application.**

16. 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 _____

17. 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 _____

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, 1110 Forrest Avenue, Dover, DE 19904, Attention: Licensing Department.**

Copies of the applicant’s letters/emails 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.

26. **SURETY BOND:**

a. Applicant must provide an original surety bond in accordance with the requirements of Section 2714(a), Title 5 of the Delaware Code. The bond shall run to the State of Delaware for a period commensurate with the license or be continuous, and shall be conditioned that the licensee shall comply with Chapter 27, Title 5 of the Delaware Code. Please use the bond form available at:

<https://banking.delaware.gov/wp-content/uploads/sites/73/2017/02/ccbond.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, the applicant may provide an original Irrevocable Letter of Credit in accordance with Section 2714(b), Title 5 of the Delaware Code.

27. **FEES:**

A non-refundable investigation fee of \$150.00 *per location to be licensed* **must** accompany this application. Upon approval and prior to issuance of a license, a license fee of \$200.00 *per location to be licensed* (not a mobile unit) **must** also be remitted. **Please make checks payable to State of Delaware.**

For mobile units: a non-refundable investigation fee of \$200.00 per mobile unit to be licensed, and a license fee of \$250.00 per mobile unit to be licensed must accompany this application.

If an application is filed after **June 30th**, the license fee shall be one-half of those stated above *per location or mobile unit to be licensed*. The investigation fees shall remain unchanged.

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 by another principal and notarized. In case of an applicant 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, in my role as principal of said applicant, 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

Name of Applicant: _____

(Signature)

(Print Name)

(Title)

(Date)

CORPORATE SEAL

If no seal, check here _____

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

(Signature)

(Print Name)

(Title)

(Date)

Subscribed and sworn to before me this _____ day of _____, 20_____.

NOTARY PUBLIC

NOTARY SEAL

Check Cashier, Drafts, or Money Orders
Delaware License under Chapter 27, Title 5 of the Delaware Code
Addendum to Application

Required financial recordkeeping for cashed checks over \$1,000

The Applicant/Licensee must establish and maintain the following information to comply with Financial Recordkeeping and Reporting of Currency and Foreign Transactions when applying for a new license or renewing a license in Delaware:

31 CFR Chapter X – Financial Crimes Enforcement Network (FinCEN), Department of the Treasury

Anti-money laundering programs for money services businesses (MSB's)

- | | |
|---------------------|--|
| Section 1022.210(a) | Develop, implement and maintain an effective anti-money laundering program |
| Section 1022.210(b) | The program must be equal with the risks posed by the location, size, nature and volume of the MSB |
| Section 1022.210(c) | The program must be <u>in writing</u> and copies must be available for review by the Department of the Treasury |
| Section 1022.210(d) | |
| (1) | The program must include policies, procedures and internal controls: <ul style="list-style-type: none"> - Verifying customer identification - Filing reports - Creating and retaining records - Responding to law enforcement requests |
| (2) | Designate a person responsible for day-to-day compliance with the program and Chapter |
| (3) | Educate and train responsible personnel(s) of their responsibilities to detect suspicious transactions and the required reporting requirements under the program |
| (4) | Provide an independent review to monitor and maintain an adequate program (cannot be performed by the compliance officer) |
| Section 1022.210(e) | Develop and implement an AML program in compliance with this section on/before July 24, 2002, and by the end of 90 days after the business is established |

Standards for safeguarding customer information

The applicant must advise the Office of the State Bank Commissioner of policies and procedures developed and implemented to safeguard customer information in accordance with Gramm-Leach-Bliley Act 16 CFR - Part 314

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 this Authorization
(Person with authority to submit application)

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 _____, 20_____.

NOTARY PUBLIC

NOTARY SEAL

CASHING OF CHECKS, DRAFTS OR MONEY ORDERS

Name of Applicant: _____

EMPLOYER IDENTIFICATION NUMBER: _____

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

Supervisory
Assessment:

Name and Title	Telephone #/Ext. #
Email Address	Fax #
Mailing Address	

License Renewal:

Name and Title	Telephone #/Ext. #
Email Address	Fax #
Mailing Address	

Examination:

Name and Title	Telephone #/Ext. #
Email Address	Fax #
Mailing Address	

Complaints:

Name and Title	Telephone #/Ext. #
Email Address	Fax #
Mailing Address	

Public Contact:

Name and Title	Telephone #/Ext. #
Email Address	Fax #
Mailing Address	

Changes in the above contacts must be reported to our office immediately.