

STATE OF CALIFORNIA

DEPARTMENT OF BUSINESS OVERSIGHT

INSTRUCTIONS FOR COMPLETING THE APPLICATION FOR A LICENSE UNDER THE CALIFORNIA FINANCE LENDERS LAW (CFLL)

WHO IS REQUIRED TO OBTAIN A FINANCE LENDERS LICENSE?

In general, any person engaging in the business of a finance lender or finance broker is required to obtain a California Finance Lenders license. The CFLL contains a number of exemptions for persons licensed by other regulatory agencies.

A finance broker licensed under the CFLL may only broker loans to lenders licensed as finance lenders. The license does not provide the broker with the authority to broker loans to and collect brokerage commissions from other types of lenders such as credit unions and banks.

All companies engaged in making or brokering loans secured by residential real property will be required to obtain a license through NMLS.

ASSISTANCE WITH THE APPLICATION

Refer to these instructions while completing the CFLL application. If you have questions about the application that are not answered by these instructions, call the Department of Business Oversight's toll-free telephone number at 1-866-275-2677. Departmental personnel cannot provide individual legal or accounting advice. Applicants who need such advice must consult a qualified professional.

FEES AND PROCESSING OF THE APPLICATION

The application and all exhibits must be typewritten. All signatures must be original and not a copy. Attach additional sheets if you need more space to complete an answer to any of the questions. Answer every question in the application, unless these instructions direct otherwise, and label the answers by the corresponding question number or exhibit letter.

The application, including all exhibits, must be accompanied by a nonrefundable application fee of \$200, an investigation fee of \$100, and fingerprint processing fees. The applicable fingerprint processing fee is \$20 per individual if the individual resides in California. If the individual resides outside of California, the applicable fingerprint processing fee is \$86 per individual. The application fee, investigation fee, and fingerprint processing fees are not refundable if the application is denied or withdrawn. Detailed instructions for the fingerprint processing requirements are listed below under "Exhibit C."

Make check(s) payable to the Department of Business Oversight for the total amount of all fees. The application, exhibits, and fees must be filed only in the Los Angeles office of the Department of Business Oversight, located at 320 West 4th Street, Suite 750, Los Angeles, California 90013. **Applications which do not include all required information and exhibits will not be processed.**

THE CFLL APPLICATION

References to exhibits in these instructions pertain to specific documents that must be submitted with the CFLL application. The headings used in these instructions correspond to the application item numbers and exhibit letters in the CFLL application.

COVER PAGE OF APPLICATION

Check **one** box only to reflect the type of license for which you are applying, either “Lender” or “Broker” or “Both.” Do not check more than one box.

ITEM NUMBER 1 OF APPLICATION

1.a. Name of Applicant:

Provide the applicant’s legal name. For individuals (sole proprietors), list first, middle and last name. If a sole proprietor applicant has no middle name, indicate, e.g., “John [no middle name] Smith.”

Note: Some foreign entities are required by the California Secretary of State’s office to use an assumed name for all business they conduct in California. Such entities should provide that assumed name as the “Name of Applicant” and may only use that name. Such entities are not permitted to use a fictitious business name.

1.b. Fictitious Business Name:

An applicant who intends to conduct CFLL business under a fictitious business name that is different from its legal name should list the fictitious business name here. Enter the name exactly as it appears on the Fictitious Business Name Statement as filed with the county clerk. The fictitious business name must be provided in addition to the legal name. Applicants who intend to conduct business under a fictitious business name are required to comply with the rules governing the filing of a fictitious business name as set forth in the Business and Professions Code, beginning at Section 17900.

1.c. Filing of Fictitious Business Name:

Provide the name of the county in which the fictitious business name is filed. The fictitious business name must be filed in the county of the applicant’s main office address.

ITEM NUMBER 2 OF APPLICATION:

Applicant is Organized and Will Do Business as:

Check the appropriate box to indicate the organizational form of the applicant.

ITEM NUMBER 3 OF APPLICATION:

Applicant’s Licensed Place of Business:

Provide the applicant’s full proposed place of CFLL business, including number and street, city, county, state, and zip code. An additional CFLL license is required for each additional business location.

ITEM NUMBER 4 OF APPLICATION (Sole Proprietor Applicants ONLY):

This item is to be completed only by applicants who are sole proprietors and not organized as any other form of business.

4.a. Name of Sole Proprietor Applicant:

List the sole proprietor’s full first, middle, and last name. If the applicant has no middle name, indicate, e.g., “John [no middle name] Smith.”

4.b. Person(s) Who Will Be In Charge of the Place of Business:

Provide the full name, address, telephone number, and e-mail address of all managers as “person(s) who will be in charge of the place of business.” “Managers” are persons with authority to manage the operations of the organization in California.

4.c. Agent for Service of Process (Sole Proprietor Applicants Outside of California ONLY):

Provide the name and address of the applicant’s agent for service of process in California. Provide this information if the applicant has an agent in California who is authorized to accept service on its behalf. As an example, it is common for persons to authorize their attorney to accept service of process on their behalf. Indicate if there is no authorized agent for service of process in California by stating “none”.

ITEM NUMBER 5 OF APPLICATION (Partnership Applicants ONLY):

This item of the application must be completed only by applicants organized as a general or limited partnership.

5.a. Organization:

Include the full date (month, day, and year) and the state where the partnership was organized.

5.b. General Partners:

Provide the requested information for all general partners and indicate if the general partner is a managing general partner by checking the box.

5.c. Person(s) Who Will Be In Charge of the Place of Business:

Provide the full name, address, telephone number, and e-mail address of all managers as “person(s) who will be in charge of the place of business.” “Managers” are persons with authority to manage the operations of the organization in California.

5.d. and 5.e. Other Persons:

List the full name of any other person with direct involvement in the applicant's proposed activities under the CFLL license in 5.d. and any person that owns or controls, directly or indirectly, 10% or more of the applicant in 5.e. This includes any entity owning 10% or more of the applicant.

5.f. Agent for Service of Process (General Partnership Applicants ONLY):

Provide the name and address of the applicant's agent for service of process in California. Provide this information if the applicant has an agent in California who is authorized to accept service on its behalf. For example, it is common for persons to authorize their attorney to accept service of process on their behalf. Indicate if there is no authorized agent for service of process in California by stating "none".

ITEM NUMBER 6 OF APPLICATION (Corporations and Other Business Entities):

Complete this item of the application only if the applicant is applying as a corporation, limited liability company, joint venture, association, joint stock company, trust, unincorporated organization, government, or political subdivision of a government.

6.a. Organization:

Include the full date (month, day, year) of organization and the state where the applicant was organized.

6.b. Officers and Directors:

List the full name of each of the officers, directors, managers, and trustees.

6.c. Person(s) Who Will Be In Charge of the Place of Business:

Provide the full name, address, telephone number, and e-mail address of all managers as "person(s) who will be in charge of the place of business." "Managers" are persons with authority to manage the operations of the organization in California.

6.d. and 6.e. Other Persons:

List the full name of any other person with direct responsibility for the applicant's proposed activities under the CFLL license in 6.d. and any other person that owns or controls, directly or indirectly, 10% or more of the applicant in Item 6.e. This includes any entity owning 10% or more of the applicant.

If the applicant is owned by another entity(s) or individual(s), or has subsidiaries of affiliated entities, provide an organization chart identifying each entity or individual and their percentage of ownership in the applicant. Label the organization chart as Exhibit M.

ITEM NUMBER 7 OF APPLICATION:

Regulatory or Other Action:

Under Financial Code Section 22109(a)(2) and (3), the Commissioner of Business Oversight may deny an application for a finance lender or broker license if the applicant has been convicted of a crime or committed an act involving dishonesty, fraud, or deceit within the last 10 years or if the applicant has violated the CFLL or other similar regulatory scheme at any time. Describe, if applicable, by providing the information requested. Attach a copy of each action.

ITEM NUMBER 8 OF APPLICATION:

Other Business at Location:

Financial Code Section 22154 requires written authorization from the Commissioner of Business Oversight to conduct non-CFLL business from a CFLL-licensed location. Check the appropriate box. Describe, if applicable, any other business that will be conducted from the same location as the CFLL-licensed business. If none, so state.

ITEM NUMBER 9 OF APPLICATION:

Bonding Agent:

Provide the name, address, and telephone number of the bonding agent that the Department can contact regarding the applicant's surety bond.

ITEM NUMBER 10 OF APPLICATION:

10.a. Proposed Activities:

This item of the application requires the applicant to provide basic information regarding its proposed activities. Check the appropriate boxes to indicate the type of collateral that will be securing the loans that you are making or brokering, and indicate the corresponding minimum dollar amount of the loans made or brokered. Check all boxes that are applicable. There is a statutory minimum of \$5,000 or more for commercial purpose loans and consumer loans secured by real estate. Commercial purpose loans less than \$5,000 are treated statutorily as consumer purpose loans.

10.b. Business Plan:

Provide a short description of how the applicant plans to conduct business under the CFLL license. Include any information necessary for the Commissioner of Business Oversight to have an understanding of the type of business that the applicant plans to conduct under this license.

ITEM NUMBER 11 OF APPLICATION:

Qualification of Securities:

Check the appropriate box to indicate whether the applicant's offer and sale of securities have been qualified in California. Under the Corporate Securities Law of 1968, companies, individuals or other entities that offer and sell securities including common stock, debt, limited partnership interests or limited liability company membership interests, employee stock options, etc. in California must claim an exemption or qualify the offering by filing an application. If exempt, the applicant must have the appropriate limited/small offering exemption notice on file with the Department. Please contact our Customer Service Office at 1-866-275-2677 for further information.

EXHIBITS

EXHIBIT A:

Balance Sheet

Exhibit A requires each applicant (i.e., the person identified as “Name of Applicant” in Item Number 1) to submit a financial statement in the form of a balance sheet prepared according to generally accepted accounting principles that is dated no more than 90 days before the date that the application is filed with the Department. For example, if the applicant is a corporation, then submit a balance sheet for the corporation. If the applicant is a sole proprietor, then submit a personal balance sheet. Label the balance sheet as Exhibit A.

The applicant must meet and maintain a minimum net worth of \$25,000 at all times. (Financial Code Section 22104.) If the applicant does not meet this net worth requirement as evidenced by the balance sheet submitted with the application then the application cannot be approved. Applicants needing assistance should consult an accountant.

EXHIBIT B:

Surety Bond

Provide the original surety bond, including riders and endorsements, in the amount of \$25,000. A bond form and instructions are enclosed.

To complete the bond form:

1. Read the instructions on the bond form before completing the bond.
2. The bond and the cover page of the bond must be in the name of the applicant as provided in Item Number 1 of this application under “Name of Applicant”.
3. The bond must be signed by the applicant (if the applicant is a sole proprietor), or by one of the individuals named in Item Number 4, 5, or 6 of the application and who is authorized to sign on behalf of the applicant, in the space designated “Signature of Principal”.
4. The signature of the applicant must be notarized.
5. The bond must contain the original power-of-attorney-form issued by the surety bond company.
6. The bond must be signed by the surety bond company in the space designated “Signature of Attorney-in-Fact for Surety” and the signature must be notarized.

EXHIBIT C:

Statement of Identity and Questionnaire

Each individual (natural person) named in Item Numbers 4, 5, and 6 of the application must complete a Statement of Identity and Questionnaire. Submit the Statement of Identity and Questionnaire with the fingerprint information and the cost of fingerprint processing (discussed below).

The 10-year employment and residence histories in the Statement of Identity and Questionnaire must be complete and accurate. Attach copies of all pertinent court and other documents requested. The Statement of Identity and Questionnaire must be notarized if executed outside the State of California.

If an entity owns or controls 10% or more of the applicant, a Statement of Identity Questionnaire and fingerprints must be submitted for each officer, director, general partner, or managing member, as applicable. The Commissioner may waive this requirement if it is determined that further investigation is not necessary for public protection.

A public company may submit fingerprints only for persons not included on the public company's Form 10-K, Form 10-Q or other similar document filed with the Securities and Exchange Commission. The applicant must submit a copy of Form 10-K, Form 10-Q, or other similar document that includes the name of the individuals not submitting fingerprints. Statement of Identity and Questionnaires must still be completed for all individuals. For purposes of this paragraph, "public company" means a company whose securities are listed or designated on a national securities exchange certified by the Commissioner of Business Oversight under subdivision (o) of Section 25100 of the California Corporations Code.

Fingerprints

All individuals named in Item Numbers 4, 5, and 6 of the application must submit fingerprints and related information to the Department of Business Oversight with the application, for the purposes of conducting a criminal history background check. (Financial Code Section 22101.5) Applicants must pay for the cost of processing the fingerprints.

In-State Individuals:

Each individual named in Item Numbers 4, 5, and 6 of the application who resides in California must complete a "Request for Live Scan Service" form. The triplicate form can be printed from the Department of Business Oversight's website at www.dbo.ca.gov. Adobe Reader 7.x is required to download the form correctly. The individuals must take the three-part form to a live scan location to have their fingerprints taken by the operator and submitted electronically to the California Department of Justice for processing. The applicant will be required to pay the fees charged by the California Department of Justice for processing the fingerprints directly to the live scan operator. The Attorney General's website at <http://caag.state.ca.us/fingerprints/publications/contact.htm> has current information concerning the Department of Justice's fees and the location of live scan terminals. You may also call the Department of Business Oversight at 1-866-275-2677 for information concerning the location of live scan terminals. Submit the "Requesting Agency Copy" of the "Request for Live Scan Service" form and a processing fee of \$20 per individual for live scan submission with the CFLI application and the Statement of Identity and Questionnaire to the Department of Business Oversight. Make the check for the fingerprint processing fees payable to the Department of Business Oversight.

Out-of-State Individuals:

Individuals residing outside of California are encouraged to come to California, if practical, to have their fingerprints taken and submitted electronically through California's Live Scan process, to significantly decrease the processing time. However, an out-of-state individual named in Item Numbers 4, 5, and 6 may provide fingerprint images to the Department of Business Oversight on fingerprint cards. Call the Department of Business Oversight at 1-866-275-2677 to obtain fingerprint cards. The Department of Business Oversight will mail the fingerprint cards to you. In addition, you must also complete a "Request for Exemption from Mandatory Electronic Fingerprint Submission Requirement" form, available from the Attorney General's website at <http://caag.state.ca.us/fingerprints/pdf/bcii9004.pdf>. The fee to process the fingerprint card is \$86 per individual, which includes the Department of Business Oversight's processing fee of \$20 and the Department of

Justices' processing fee of \$66. Make the check for all fees payable to the Department of Business Oversight. Submit the fingerprint cards, "Request for Exemption from Mandatory Electronic Fingerprint Submission Requirement" form, the fees, and the Statement of Identity and Questionnaire with the CFLI application to the Department of Business Oversight.

EXHIBIT D: (Sole Proprietor Applicants ONLY):

Proof of Legal Presence

Exhibit D is the "Statement of Citizenship, Alienage, and Immigration Status for Application of Department of Business Oversight License or Certificate," which must be completed and submitted by sole proprietor applicants. Include copies of the acceptable proof of citizenship as outlined in List A of the Statement of Citizenship, Alienage, and Immigration Status.

Complete this form and submit proof of your citizenship only if applying for the license as a sole proprietor. Officers of corporations, limited liability companies or partnerships are not required to complete this form.

EXHIBIT E:

Authorization for Disclosure of Financial Records

Exhibit E is the "Customer Authorization for Disclosure of Financial Records". Submit this form as part of the application package. The form must be signed by an individual named in Item Numbers 4, 5, or 6 of the application and who is authorized to sign on behalf of the applicant.

EXHIBIT F:

Fictitious Business Name Statement

Submit a copy of the current Fictitious Business Name Statement with the "filed stamp" from the county clerk's office. The applicant's name must appear as a registrant on the Fictitious Business Name Statement. Label this document as Exhibit F.

EXHIBIT G: All Corporate Applicants Incorporated In Any State

Corporations must submit an ORIGINAL certificate of qualification or good standing from the Secretary of State or other authority of the applicant's state of incorporation. The name on the certificate must match the name listed in Item Number 1 of the application. **The certificate must also indicate the original date of incorporation.** Label this document as Exhibit G.

EXHIBIT H: (Foreign Corporations ONLY):

Additional Requirements for Applicants Incorporated In States Other Than California

Applicants incorporated OUTSIDE the State of California must submit an original certificate of qualification or good standing issued by the California Secretary of State, in addition to the document required in Exhibit G.

Foreign corporations must register and qualify the corporation to conduct business in the State of California as a foreign corporation through the California Secretary of State. The name on the certificate must match the name listed in Item Number 1 of the application. Label the document as Exhibit H.

EXHIBIT I: All General Partnership Applicants Organized In Any State

Provide a copy of the original partnership agreement. **The agreement must indicate the original date of organization.** Label the document as Exhibit I.

EXHIBIT J: Applicants Organized In Any State as a Limited Partnership or Limited Liability Company

Limited partnerships and limited liability companies must submit an ORIGINAL certificate of qualification or good standing from the Secretary of State or other authority of the applicant's state of organization. The name on the certificate must match the name in Item Number 1 of the application. **The certificate must also indicate the original date of organization.** Label the document as Exhibit J.

EXHIBIT K: (Foreign Business Entities ONLY):

Additional Requirements for Applicants Organized as a Limited Partnership or Limited Liability Company in States Other Than California

A foreign limited partnership or foreign limited liability company must also register and qualify to conduct business in the State of California, and provide an original certificate of qualification or good standing from the California Secretary of State. The name on the certificate must match the name listed in Item Number 1 of the application. Label the document as Exhibit K.

EXHIBIT L

Social Security Number or Federal Taxpayer Identification Number

Individual (sole proprietors) applying for a license must provide their social security number. Corporations, partnerships, limited liability company and other business entities, except sole proprietorships, applying for a license must provide the federal taxpayer identification number. The Department of Business Oversight is required to collect from all applicants social security numbers under Family Code Section 17520, and social security numbers or federal taxpayer identification numbers under Business and Professions Code Section 494.5. The social security number or federal taxpayer identification number is used to match the information to the names on the list provided by the Department of Child Support Services under Family Code Section 17520, and the list of tax delinquencies provided by the State Board of Equalization and the Franchise Tax Board under Business and Professions Code 494.5. Any disclosed social security numbers and federal taxpayer identification numbers in the completed application will be considered confidential information, and will be filed and maintained as part of the confidential records not subject to public inspection. Refer to Commissioner's Release 2-G for further information concerning privacy protection of personal information.

EXHIBIT M

Organization Chart

If the applicant is owned by another entity(s) or individual(s), or has subsidiaries or affiliated entities, provide an organization chart identifying each entity or individual and their percentage of ownership in the applicant. Label the organization chart as Exhibit M.

EXECUTION SECTION:

Complete the required information. The Execution Section must be signed by the applicant in the case of a sole proprietor applicant or, for other types of applicants, by an individual who is named in Item Numbers 4, 5, or 6 of the application and who is authorized to sign on behalf of the applicant. By signing the application, the applicant agrees with the representations listed and agrees to appoint the Commissioner of Business Oversight to receive service of process on behalf of the applicant.

CFLL APPLICATION CHECKLIST

Application Question Number or Exhibit Letter	Sole Proprietor	Domestic Corporation	Foreign Corporation	Domestic LLC	Foreign LLC	Domestic General or Limited Partnership	Foreign General or Limited Partnership
1. Name	X	X	X	X	X	X	X
2. Business Type	X	X	X	X	X	X	X
3. Place of Business	X	X	X	X	X	X	X
4. Sole Proprietor Licensee Information	X						
5. Partnership Licensee Information						X	X
6. Corporation & Other Licensee Information		X	X	X	X		
7. Regulatory or Other Action	X	X	X	X	X	X	X
8. Other Business at Location	X	X	X	X	X	X	X
9. Bonding Agent	X	X	X	X	X	X	X
10. Proposed Activities	X	X	X	X	X	X	X
11. Qualification of Securities	X	X	X	X	X	X	X
A. Balance Sheet	X	X	X	X	X	X	X
B. Surety Bond	X	X	X	X	X	X	X
C. Statement of Identity	X	X	X	X	X	X	X
D. Sole Proprietor Licensee Information	X						
E. Authorization for Disclosure	X	X	X	X	X	X	X
F. Fictitious Business Name	X	X	X	X	X	X	X
G. Corporation Licensee Information		X	X				
H. Foreign Corporation Licensee Information			X				
I. General Partnership Licensee Information						GP ONLY X	GP ONLY X
J. Limited Partnership & LLC Licensee Information				X	X	LP ONLY X	LP ONLY X
K. Foreign Limited Partnership & LLC Licensee Information					X		LP ONLY X
L. Social Security Number or Federal Taxpayer Identification Number	X	X	X	X	X	X	X
M. Organization Chart		X	X	X	X	X	X
Execution Section	X	X	X	X	X	X	X

(Department of Business Oversight Use Only)

DEPARTMENT OF BUSINESS OVERSIGHT

Fee Paid \$ _____

File No. _____

Receipt No. _____

**STATE OF CALIFORNIA
DEPARTMENT OF BUSINESS OVERSIGHT**

**APPLICATION FOR A LICENSE UNDER THE
CALIFORNIA FINANCE LENDERS LAW**

APPLICATION FOR A LICENSE AS A: LENDER BROKER BOTH

The application must be accompanied by a non-refundable application fee of \$200, a non-refundable investigation fee of \$100, and non-refundable fingerprint processing fees (Departments of Business Oversight and Justice). The application (together with the fees payable to the Department of Business Oversight) must be filed in the Los Angeles office of the Department of Business Oversight, located at 320 West 4th Street, Suite 750, Los Angeles, CA 90013.

1. a. Name of Applicant: _____

 b. Fictitious Business Name: _____

 c. Fictitious Business Name filed in the County of: _____

2. Applicant is organized and will do business as (check as applicable):

an individual (a sole proprietor)

a general partnership

a limited partnership

a corporation

a limited liability company

other (please specify such as joint venture, association, joint stock company, trust, unincorporated organization, government, or political subdivision of a government):

3. Applicant's proposed licensed place of business:

(Number and Street)

(City)

(County) (State)

(Zip)

4. If the applicant is a sole proprietor, provide the following information:

a. The **FULL** first, middle (if no middle name, so indicate) and last name of the sole proprietor.

(Name)

b. The **FULL** first, middle (if no middle name, so indicate) and last name, complete business address, telephone number, and e-mail address, if any, for each person(s) who will be in charge of the place of business.

(Name)

(Telephone Number)

(E-mail Address)

(Number and Street)

(City)

(State)

(Zip)

c. If the applicant has listed a business location outside of California in Item Number 3, provide the **FULL** first, middle (if no middle name, so indicate) and last name, and complete address of an agent for service of process in California. If there is no authorized agent in California, so indicate.

(Name)

(Number and Street)

(City)

(State)

(Zip)

5. If the applicant is a general partnership or a limited partnership, provide the following information:

a. Applicant was organized on _____ in the State of _____.
(Date MM/DD/YYYY)

b. The **FULL** first, middle (if no middle name, so indicate) and last name, and complete business address for each general partner. Indicate if a general partner is a managing general partner by checking the corresponding box.

(Name) _____ Check here if a Managing Partner

(Number and Street)

(City)

(State)

(Zip)

c. The **FULL** first, middle (if no middle name, so indicate) and last name, complete business address, telephone number, and e-mail address, if any, for each person(s) who will be in charge of the place of business.

(Name)

(Telephone Number)

(E-mail Address)

(Number and Street)

(City)

(State)

(Zip)

d. The **FULL** first, middle (if no middle name, so indicate) and last name for any other person responsible for the conduct of applicant's lending activity in this state.

(Name)

(Name)

e. The **FULL** first, middle (if no middle name, so indicate) and last name for any person (other than those persons listed above) that owns or controls, directly or indirectly, 10% or more of the applicant.

(Name)

(Name)

f. If the applicant is a general partnership, provide the **FULL** first, middle (if no middle name, so indicate) and last name, and complete address of an agent for service of process in California. If there is no authorized agent in California, so indicate.

(Name)

(Number and Street)

(City)

(State)

(Zip)

6. If the applicant is a corporation, limited liability company, joint venture, association, joint stock company, trust, unincorporated organization, government, or political subdivision of a government, provide the following information:

a. Applicant was organized on _____ in the State of _____.
(Date MM/DD/YYYY)

b. The **FULL** first, middle (if no middle name, so indicate) and last name, be given for each person named below.

President/Chief Executive Officer:

(Name)

Executive Vice President/Vice President:

(Name)

Secretary:

(Name)

Treasurer/Chief Financial Officer:

(Name)

Directors:

(Name)

(Name)

Manager(s) [i.e., a managing member of an association, or a manager appointed or elected by the members of a limited liability company]:

(Name)

(Name)

Trustee(s)

(Name)

(Name)

- c. The **FULL** first, middle (if no middle name, so indicate) and last name, complete business address, telephone number, and e-mail address, if any, for each person(s) who will be in charge of the place of business.

(Name)

(Telephone Number)

(E-mail Address)

(Number and Street)

(City)

(State)

(Zip)

- d. The **FULL** first, middle (if no middle name, so indicate) and last name for any other person responsible for the conduct of applicant's lending activity in this state.

(Name)

(Name)

- e. The **FULL** first, middle (if no middle name, so indicate) and last name for any person (other than those persons listed above) that owns or controls, directly or indirectly, 10% or more of the applicant.

(Name)

(Name)

Provide an organization chart with ownership percentages. Chart attached: Yes No

- 7.a. Has the applicant been convicted of or pleaded nolo contendere to a crime, or committed an act involving dishonesty, fraud, or deceit within the last 10 years?

Yes

No

If yes, provide copies of all pertinent court documents relating to the action and complete the following:

Type of Action: Administrative Criminal Civil

Name of Regulator, Agency or Plaintiff: _____

Nature of Charges: _____

Type of Resolution: _____

Date of Resolution or Settlement: _____

- 7.b. Has the applicant at any time violated the California Finance Lenders Law or regulations, or any similar regulatory scheme of California or a foreign jurisdiction?

Yes

No

If yes, provide copies of all pertinent court documents relating to the action and complete the following:

Type of Action: Administrative Criminal Civil

Name of Regulator, Agency or Plaintiff: _____

Nature of Charges: _____

Type of Resolution: _____

Date of Resolution or Settlement: _____

8. Does the applicant conduct or intend to conduct any other business at the applicant's proposed licensed place of business (Item Number 3 above)? Yes No

If yes, describe any business being conducted or planned to be conducted on the applicant's premises. If the Commissioner of Business Oversight's authorization is not required because the products or services are of a supervised financial institution affiliated with the applicant, so indicate.

9. Provide the name, address, and telephone number of the bonding agent to whom the Department can direct questions regarding the surety bond required in Exhibit B below.

(Name of Bonding Agent) (Telephone Number)

(Number and Street) (City) (State) (Zip)

10. Complete the following as it applies to your proposed operations:

- a. In the table below, mark the type of collateral and enter the corresponding minimum loan amount for commercial and consumer loans applicable to your proposed method of operation.

COMMERCIAL LOANS		CONSUMER LOANS	
Collateral Type (check <input checked="" type="checkbox"/> all that apply)	Minimum Loan Amount	Collateral Type (check <input checked="" type="checkbox"/> all that apply)	Minimum Loan Amount
<input type="checkbox"/> Real Property	\$	<input type="checkbox"/> Real Property	\$
<input type="checkbox"/> Personal Property	\$	<input type="checkbox"/> Personal Property	\$
<input type="checkbox"/> Unsecured	\$	<input type="checkbox"/> Unsecured	\$

Note: The minimum loan amount for a commercial purpose loan is \$5,000.00. A commercial purpose loan less than \$5,000 is treated statutorily as a consumer purpose loan. A consumer purpose loan collateralized by real property must be \$5,000.00 or more.

- b. Provide a short description of the applicant's business plan that includes any information necessary for the Commissioner of Business Oversight to have an understanding of the type of business that the applicant plans to conduct under this license.

11. Has the applicant's offer and sale of securities been qualified in California?

Yes No

If no, check as applicable:

- Applicant is exempt from qualification, and has filed any applicable notice of exemption with the Department.
 Applicant has never offered or sold its securities in California or to a California resident.

REQUIRED EXHIBITS:

EXHIBIT A. Provide a balance sheet of the applicant prepared in accordance with generally accepted accounting principles and dated no more than 90 days prior to the date this application is filed. Label the balance sheet as Exhibit A.

EXHIBIT B. Provide the original surety bond, including riders and endorsements in the amount of \$25,000. The instructions and bond form are enclosed.

EXHIBIT C. Provide for each individual (natural person) named in Items 4, 5, and 6, a Statement of Identity and Questionnaire, along with fingerprint information and the cost of fingerprint processing. The Statement of Identity and Questionnaire form is enclosed.

EXHIBIT D. SOLE PROPRIETOR ONLY: Complete the enclosed form entitled "Statement of Citizenship, Alienage, and Immigration Status for Application of Department of Business Oversight License or Certificate."

EXHIBIT E. Complete the enclosed form entitled "Customer Authorization for Disclosure of Financial Records."

EXHIBIT F. Provide a copy of the current Fictitious Business Name Statement filed with the county clerk. Label the document as Exhibit F.

EXHIBIT G. ALL CORPORATE APPLICANTS INCORPORATED IN ANY STATE: Submit an original certificate of good standing or qualification executed by the Secretary of State of your state of incorporation, or other proper authority showing that the applicant is authorized to transact business in that state. The certificate must indicate the original date of incorporation. Label the document as Exhibit G.

EXHIBIT H. ADDITIONAL REQUIREMENT FOR APPLICANTS INCORPORATED IN STATES OTHER THAN CALIFORNIA (FOREIGN CORPORATION) ONLY: Submit an original certificate of good standing or qualification executed by the California Secretary of State showing that the applicant is qualified to do business in California. Label the document as Exhibit H.

EXHIBIT I. GENERAL PARTNERSHIP APPLICANTS ONLY: Submit a copy of the original partnership agreement. Label the document as Exhibit I.

EXHIBIT J. APPLICANTS ORGANIZED IN ANY STATE AS A LIMITED PARTNERSHIP OR LIMITED LIABILITY COMPANY: Submit an original certificate of good standing or qualification executed by the Secretary of State of your state of organization, or other proper authority showing that the applicant is authorized to transact business in that state. The certificate must indicate the original date of organization. Label the document as Exhibit J.

EXHIBIT K. ADDITIONAL REQUIREMENT FOR APPLICANTS ORGANIZED AS A LIMITED PARTNERSHIP OR LIMITED LIABILITY COMPANY IN STATES OTHER THAN CALIFORNIA (FOREIGN BUSINESS ENTITY) ONLY: Submit an original certificate of good standing or qualification executed by the California Secretary of State showing that the applicant is qualified to do business in California. Label the document as Exhibit K.

EXHIBIT L. SOCIAL SECURITY NUMBER OR FEDERAL TAXPAYER IDENTIFICATION NUMBER: Provide the social security number if the applicant is an individual (sole proprietor) or the federal taxpayer identification number if the applicant is a business entity other than a sole proprietorship. Label the document as Exhibit L.

EXHIBIT M. ORGANIZATION CHART: Provide an organization chart with ownership percentages included. Label this document as Exhibit M.

EXECUTION SECTION. Complete and sign the enclosed declaration.

EXECUTION SECTION

In the matter of the Application for a License under the California Finance Lenders Law, I, the undersigned, authorized to act on behalf of the applicant, declare that the following statements are true and correct:

1. That the applicant has obtained and read copies of the California Finance Lenders Law (Division 9 of the California Financial Code) and the Finance Company Rules (Chapter 3, Title 10, California Code of Regulations) and is familiar with their content.
2. That the applicant agrees to comply with the requirements of the California Finance Lenders Law, the rules adopted, and the orders issued by the Commissioner of Business Oversight.
3. That in the event of any change of its officers, directors, or any other persons named in this application, the applicant will file an amendment to the application containing the same information in relation to the new person(s) as is required in the application, within thirty days from the date of the change, with the Commissioner of Business Oversight.
4. That the applicant will file with the Commissioner of Business Oversight an amendment to this application prior to any material change in the information contained in the application for licensure, including, without limitation, the plan of operation.
5. That the applicant agrees to report any change of business location at least 10 days prior to the change.
6. That the applicant for a brokers license agrees that a license issued pursuant to the California Finance Lenders Law does not provide the authority to broker loans to lenders that are not licensed as finance lenders as defined in Financial Code Section 22009, that loans will only be brokered to lenders licensed pursuant to the California Finance Lenders Law, and that finance lenders may not pay compensation for brokerage services (i.e., brokerage commission, finder's fee, referral fees, etc.) to anyone not licensed as a broker under this Division, except for those exempt persons as provided for in Section 1451 of the Rules (10 C.C.R. § 1451).
7. For purposes of Financial Code Sections 22340 and 22600, when selling loans secured by real property to institutional investors, the applicant agrees that the source of funds will be exclusive of any funding advances from an institutional investor committed to purchasing the note. The practice commonly known as "table funding" is not permitted under the California Finance Lenders Law.
8. That the applicant agrees that a license issued pursuant to the California Finance Lenders Law permits only employees to work under the license. Persons engaged in lending that are not employees may need to obtain a license under the California Finance Lenders Law.
9. That the applicant agrees that a license issued pursuant to the California Finance Lenders Law does not permit a licensee to authorize locations operated by persons other than employees of the licensee under some form of franchise or license agreement (e.g., net branching).
10. That the applicant agrees to obtain a new license issued pursuant to the California Finance Lenders Law for each additional location.

11. That the applicant agrees to comply with limitations on rates and charges for loans under the California Finance Lenders Law.
12. That the applicant agrees to obtain the Commissioner of Business Oversight's approval prior to engaging in other business at a licensed location, unless that other business is providing products or services of an affiliated supervised financial institution.
13. That the applicant agrees that real estate may not be taken as security for a consumer loan of less than \$5,000.
14. That the applicant agrees that commercial loans of less than \$5,000 are treated as consumer loans under the law.
15. For high interest rate loans secured by real estate, the applicant agrees to comply with the additional disclosure and consumer protection requirements of the Covered Loan Law and higher-price mortgage loans (Financial Code Section 4970 et seq., Financial Code Section 4995 and Part 226 of Title 12 of the Code of Federal Regulations).
16. That the applicant agrees to not share borrower information with third parties without obtaining the express written consent of the borrower, as required by the California Financial Information Privacy Act (Financial Code Section 4050 et seq.).
17. That the applicant agrees to not charge interest on a consumer loan secured by real estate for more than one day prior to the date the loan proceeds are disbursed from escrow in accordance with Civil Code Section 2948.5.
18. That the applicant will maintain adequate staff to meet the requirements of the California Finance Lenders Law, as prescribed by rule or order of the Commissioner of Business Oversight.
19. That the applicant agrees to maintain accounting records that meet generally accepted accounting principles and demonstrate a net worth of at least \$25,000 at all times.
20. That the applicant will file with the Commissioner of Business Oversight any report required by the Commissioner.
21. That the applicant agrees to maintain books and records sufficient to document compliance with the California Finance Lenders Law.
22. That the applicant will keep and maintain for 36 months from the date of final entry on any loan the business records and other information required by law or rules of the Commissioner of Business Oversight.
23. That the applicant will maintain a register of all loans made or brokered under this license that will be updated at least monthly, and that the information maintained in the register will include the name and address of the borrower, account number, amount of loan, date of loan, terms, total of payments and the annual percentage rate, and that the register will also show the account number, name of borrower and payoff date of all loans paid in full.

Indicate the name, title, address, telephone number, and e-mail address of the person who should be contacted for information regarding this application. The license will also be mailed to this person *unless otherwise instructed*.

Attention: _____
(Name) (Title) (Telephone Number)

(Number and Street) (City) (State) (Zip Code)

(Email Address)

WHEREFORE, applicant requests that a license be issued by the Commissioner of Business Oversight authorizing applicant to engage in business under the California Finance Lenders Law within the State of California.

The applicant has duly caused this application to be signed on its behalf by the undersigned, thereunto duly authorized.

The undersigned, on behalf of the applicant, acknowledges that this application and all exhibits thereto which are not designated as confidential are subject to public inspection pursuant to Section 250.9.1, Chapter 3, Title 10, California Code of Regulations. A request for confidentiality of certain documents may be requested pursuant to Section 250.10. If a request for confidential treatment is granted (or denied), the person making such request will be notified in writing.

The undersigned also acknowledges on behalf of the applicant that the State Board of Equalization and the Franchise Tax Board are authorized to share taxpayer information with the Department of Business Oversight, and in the event the state tax obligation is not paid by licensee after a license is issued, the Department of Business Oversight may be required to suspend the license (Business and Professions Code Sections 31 and 494.5).

I declare under penalty of perjury under the laws of the State of California that I have read the foregoing application, including all Exhibits attached thereto, or filed therewith, and know the contents thereof, and that the statements therein are true and correct. **The signor of this declaration must be named in either Section 4, 5, or 6 of this application.**

Executed at _____
(City, County, and State)

Date _____

(Applicant)

(Signature of Declarant)

(Typed Name of Declarant)

(Title)

**STATE OF CALIFORNIA
DEPARTMENT OF BUSINESS OVERSIGHT**

INSTRUCTIONS FOR FILING OF SURETY BOND

EXHIBIT B

This exhibit contains the approved format for the Surety Bond as required by Financial Code Section 22112. Every licensee is required to obtain and maintain a surety bond.

The original surety bond must be filed with an application and must include all of the following:

1. The signature of the attorney-in-fact for the surety company.
2. A notarized signature of the attorney-in-fact.
3. A power of attorney from the surety company.
4. Legal name of the licensee. Business name(s), if applicable, may also be included.
5. The signature of the licensee.
6. A notarized signature of the licensee.

**BEFORE THE
DEPARTMENT OF BUSINESS OVERSIGHT
OF THE
STATE OF CALIFORNIA
EXHIBIT B**

**BOND OF FINANCE LENDER AND/OR BROKER
FINANCIAL CODE SECTION 22112**

Bond No. _____

KNOW ALL MEN BY THESE PRESENTS:

That we _____,

as Principal, whose address for service is

_____,
(Street Address, City, State and ZIP Code)

and _____, a corporation,
created, organized and existing under and by virtue of the laws of the State of _____
and an admitted Surety insurer authorized to transact a general Surety business in the State of California, as
Surety whose address for service is _____,
(Street Address, City, State and ZIP Code)

are held and firmly bound unto the Commissioner of Business Oversight of the State of California, for the use thereof and for the use of any person or persons who may have a cause of action against the Principal under the provisions of the California Finance Lenders Law and all laws amendatory thereof and supplementary thereto now and hereafter enacted, in the total aggregate penal sum of _____ Dollars (\$_____) (see Financial Code Section 22112), lawful money of the United States of America, to be paid to the Commissioner of Business Oversight of the State of California, or to any person or persons, for the use and benefit aforesaid, for which payment well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally firmly by these presents.

The condition of the above obligation is such that –

WHEREAS, The above-named Principal has made application to the Commissioner of Business Oversight of the State of California for a license to engage in business under and pursuant to the provisions of the California Finance Lenders Law, and is required under the provisions of the California Finance Lenders Law to furnish a bond in the sum above named, conditioned as herein set forth:

NOW, THEREFORE, The Principal, and any and all agents and employees representing the Principal, shall faithfully conform to and abide by the provisions of the California Finance Lenders Law and all laws amendatory thereof and supplementary thereto now and hereafter enacted, and of all rules and regulations lawfully made by the Commissioner of Business Oversight of the State of California under the California Finance Lenders Law and shall honestly and faithfully apply all funds received and shall faithfully and honestly perform all obligations and undertakings under the California Finance Lenders Law, and shall pay to the Commissioner of Business Oversight of the State of California and to any person or persons, for the use and benefit aforesaid, any and all moneys which become due or owing the State or to

any such person or persons from the Principal under and by virtue of the provisions of the California Finance Lenders Law.

This bond is subject to the following provisions:

1. That any person who sustains an injury covered by this bond may, in addition to any other remedy that he or she may have, bring an action in his or her own name upon this bond for the recovery of any damages sustained by him or her.
2. That the total aggregate liability of the Surety or sureties herein shall be limited to the payment of _____ Dollars (\$_____) (insert amount of the bond).
3. This bond may be canceled by the Surety in accordance with the provisions of Sections 996.320 and 996.330 of the Code of Civil Procedure of the State of California.
4. That, in the event either the Principal and/or the Surety under this bond are served with notice of any action commenced against the Principal or the Surety under the bond, the Principal and Surety as each is served with notice of action shall respectively and, within 10 days, give written notice of the filing of such action to the Commissioner of Business Oversight of the State of California, at the Los Angeles office of the Department of Business Oversight.
5. That, in the event the Surety under this bond makes full or partial payment on this bond the Surety shall immediately give written notice of such full or partial payment to the Commissioner of Business Oversight of the State of California, at the Los Angeles office of the Department of Business Oversight.
6. That the effective date of this bond shall be _____.

Signature of Principal

Typed or Printed Name of Principal

Executed at (City and State)

I certify (or declare) under penalty of perjury under the laws of the State of California that I have executed the foregoing bond under an unrevoked power of Attorney.

Executed in _____ on _____
(City and State) (Date)

Signature of Attorney-in-Fact for Surety

Printed or typed name of Attorney-in-Fact for Surety

ALL OF THE ABOVE SIGNATURES MUST BE NOTARIZED

**NOTICE REQUIRED BY
THE INFORMATION PRACTICES ACT
(Cal. Civ. Code Sec. 1798.17)**

- (a) The Department of Business Oversight of the State of California, Financial Services Division, requests the information solicited by the forms attached to this notice.
- (b) The Assistant Commissioner, Administration, 1515 K Street, Sacramento, CA 95814, telephone (916) 445-5541, shall inform individuals regarding the location of the Department's records and the categories of persons who use the information in the Department's records.
- (c) The Department's records are maintained pursuant to one or more of the following statutes: Financial Code Sections 12201, 12204, 12216, 12220, 17201, 17209, 17209.1, 17213.5, 22101 and 50301.
- (d) Except for individual Social Security Account Numbers submission of all items of information requested by the attached form is mandatory.
- (e) Failure to provide all or any part of the information requested by the attached form may result in the denial of the license application or other authorization sought from the Department.
- (f) Information supplied by individuals will be used to determine ability to conduct business consistent with the statutory requirements for the license or other authorization applied for. Information will be used as follows: (1) initial processing of an application to make necessary findings for granting or denying the license or other authority applied for; (2) assuring compliance through continuing regulatory processes including references and comparisons of the information with regard to other laws administered by the Department, various regulatory and special investigatory examination reports, and other data; and (3) undertaking enforcement proceedings seeking appropriate administrative or civil remedies or to refer matters to appropriate federal, state or local law enforcement officers.
- (g) In furtherance of the purposes identified above information may be transferred to other federal, state or local regulatory or law enforcement agencies. Transfers may also be made to licensees or other persons subject to the jurisdiction of the Department in order to perform statutory duties.
- (h) Subject to certain exceptions or exemptions, the Information Practices Act grants individuals the right to access to personal information concerning the individual which is maintained by the Department of Business Oversight.

Insert Full Name
of Individual: _____

Insert Licensee
(Company Name): _____

2. Employment for the last 10 years:

From	To	Employer Name and Address	Occupation and Duties
	Present		

Attach separate schedule if space is not adequate.

3. a. Have you ever been named in any order, judgment or decree of any court or any governmental agency or administrator, temporarily or permanently restraining or enjoining you from engaging in or continuing any conduct, practice or employment?

Yes No

If the answer is "Yes", give details:

Attach a copy of any order, judgment or decree.

- b. Are you currently, or have you been within the last ten years, under federal, state or local investigation for possible violation of any law, ordinance, or licensing or regulatory scheme?

Yes No

If the answer is "Yes", give details:

4. a. Are you currently licensed to engage in financial business in this state or any other state?

Yes No

Financial business means securities broker-dealer or agent, investment adviser or investment adviser representative, financial planner, insurance agent, escrow agent, finance lender or broker, mortgage lender or servicer, real estate broker, payday lender, financial institution, bill payer or prorater, commodity sales person, certified public accountant, or any other business involving investment or financial transactions.

If the answer is "Yes", describe in the chart next page the following for each license:

Insert Full Name
of Individual: _____

Insert Licensee
(Company Name): _____

License Period From:	License To:	License Number	Type of License/Business	Name and Address of Licensing Entity

Attach separate schedule if space is not adequate.

- b. Have you ever been refused a license to engage in any business in this state or any other state, or has any such license ever been suspended, revoked, or surrendered subject to a settlement, or any other similar action?

Yes No

If the answer is "Yes", give details:

Attach a copy of any settlement.

5. Have you ever been convicted of or pleaded nolo contendere to a misdemeanor or felony other than minor traffic citations that do not constitute a misdemeanor or felony offense?

"Convicted" includes a verdict of guilty by judge or jury, a plea of guilty or of nolo contendere or a forfeiture of bail. All convictions must be disclosed even if the plea or verdict was thereafter set aside and the charges against you dismissed or expunged or if you have been pardoned. Convictions occurring while you were a minor must be disclosed unless the record of conviction has been sealed under Section 1203.45 of the California Penal Code or Section 781 of the California Welfare and Institution Code.

Yes No

If the answer is "Yes", give details:

Attach a copy of any order, judgment or decree. If a conviction was entered under Section 23152(a) of the Vehicle Code, attach a written declaration stating whether drugs were involved.

6. Have you ever been a defendant in a civil court action other than divorce, condemnation or personal injury?

Yes No

If the answer is "Yes", please complete the following:

Date of suit _____ Location of court _____

Nature of suit _____

Attach a copy of any order, judgment or decree.

Insert Full Name
of Individual: _____

Insert Licensee
(Company Name): _____

7. Have you ever been a subject of a bankruptcy or a petition in bankruptcy? Yes No

If the answer is "Yes", give date, title of case, location of bankruptcy filing:

8. Have you ever been refused a bond, or have you ever had a bond revoked or canceled? Yes No

If the answer is "Yes", give details:

9. Have you ever changed your name including a woman's maiden name or ever been known by any name other than that herein listed? Yes No

If so, explain. Change in name through marriage or court order and exact date of each name change must be listed.

Prior Name

Date of Name Change

10. Have you ever done business under a fictitious firm name either as an individual or in any form of business, e.g. partnership, limited liability company, corporation or other? Yes No

If the answer is "Yes", give details:

The following questions must be answered by all persons submitting this questionnaire in connection with an ESCROW AGENT'S LICENSE.

11. In what capacity will you be employed? _____
(e.g., Clerk, Escrow Officer, Manager, Officer, Director, etc.)

12. Do you expect to be a party to, or broker or salesman in connection with escrows conducted by the escrow company which is employing you? Yes No

If the answer is "Yes", give details:

Insert Full Name
of Individual: _____

Insert Licensee
(Company Name): _____

This statement will be considered confidential information and will be filed and maintained as part of the confidential records not subject to public inspection.

VERIFICATION

I, the undersigned, state that I am the person named in the foregoing Statement of Identity and Questionnaire; that I have read and signed said Statement of Identity and Questionnaire and know the contents thereof, including all exhibits attached thereto, and that the statements made therein, including any exhibits attached thereto, are true, and that I have not omitted any information needed to make this document true.

This verification may be made either before a Notary Public or as a declaration under penalty of perjury. This form **MUST** be executed before a Notary Public if it is executed **OUTSIDE** the State of California.

I certify/declare under penalty of perjury that the foregoing is true and correct.

Executed at _____
(City)

(County) (State)

this _____ day of _____, 20_____.

(Print Name)

(Signature of Individual)

State of _____)

County of _____)

Date _____, 20_____

at _____

(Signature of Individual)

Subscribed and sworn to before me

_____, 20_____

Notary Public in and for said County and State

STATE OF CALIFORNIA
DEPARTMENT OF BUSINESS OVERSIGHT

STATEMENT OF CITIZENSHIP, ALIENAGE, AND IMMIGRATION STATUS
FOR APPLICATION OF DEPARTMENT OF BUSINESS OVERSIGHT
LICENSE OR CERTIFICATE

Print Name of Applicant (the applicant is the individual who wants the license or certificate).	Date
Print Name of Person Acting for Applicant, if any.	Relationship to Applicant

LICENSES AND CERTIFICATES TO CITIZENS AND ALIENS

Citizens and nationals of the United States who meet all eligibility requirements and apply for a license or certificate must fill out Sections A and D of this form.

Aliens who meet all eligibility requirements and apply for a license or certificate must complete Sections A, B, C (if applicable), and D of this form.

SECTION A: CITIZENSHIP/IMMIGRATION STATUS DECLARATION

1. Is the applicant a citizen or national of the United States?
Yes ____ No ____

If the answer to the above question is "Yes", where was he/she born?

_____ (City/State)

2. To establish citizenship or nationality, please submit one of the documents on List A (attached hereto), which must be legible and unaltered to establish proof.

IF YOU ARE A CITIZEN OR NATIONAL OF THE UNITED STATES, PROCEED DIRECTLY TO SECTION D. IF YOU ARE AN ALIEN, PLEASE COMPLETE SECTION B, SECTION C (IF APPLICABLE), AND SECTION D.

SECTION B: ALIEN STATUS DECLARATION

IMPORTANT: Please indicate the applicant's alien status below, and submit documents evidencing such status. The alien status documents listed for each category are the most commonly used documents that the United States Immigration and Naturalization Service (INS) provides to aliens in those categories. You can provide other acceptable evidence of your alien status even if not listed below.

1. An alien lawfully admitted for permanent residence under the
[]
Immigration and Naturalization Act (INA). Evidence includes:
- INS Form I-551 (Alien Registration Receipt Card, commonly known as a "green card");
or
 - Unexpired Temporary I-551 stamp in foreign passport or on INS Form I-94.

2. An alien who is granted asylum under Section 208 of the INA. []
Evidence includes:
- INS Form I-94 annotated with stamp showing grant of asylum under Section 208 of the INA;
 - INS Form I-688B (Employment Authorization Card) annotated "274a.12(a)(5)";
 - INS Form I-766 (Employment Authorization Document) annotated "A5";
 - Grant letter from the Asylum Office of INS; or
 - Order of an immigration judge granting asylum.

3. A refugee admitted to the United States under Section 207
 of the INA. Evidence includes:
 - INS Form I-94 annotated with stamp showing admission under Section 207 of the INA;
 - INS Form I-688B (Employment Authorization Card) annotated "274a.12(a)(3)";
 - INS Form I-766 (Employment Authorization Document) annotated "A3"; or
 - INS Form I-571 (Refugee Travel Document).

4. An alien whose deportation is being withheld under section 243(h) of
 the INA (as in effect immediately prior to September 30, 1996) or Section 241(b)(3) of such Act (as amended by Section 305(a) of Division C of Public Law 104-208). Evidence includes:
 - INS Form I-688B (Employment Authorization Card) annotated "274a.12(a)(10)";
 - INS Form I-766 (Employment Authorization Document) annotated "A10"; or
 - Order from an immigration judge showing deportation withheld under section 243(h) of the INA as in effect prior to April 1, 1997, or removal withheld under section 241(b)(3) of the INA.

5. An alien who is granted conditional entry under Section 203(a)(7) of
 the INA as in effect prior to April 1, 1980. Evidence includes:
 - INS Form I-94 with stamp showing admission under Section 203(a)(7) of the INA;
 - INS Form I-688B (Employment Authorization Card) annotated "274a.12(a)(3)"; or
 - INS Form I-766 (Employment Authorization Document) annotated "A3".

6. An alien who is a Cuban or Haitian entrant (as defined in Section 501(e)
 of the Refugee Education Assistance Act of 1980). Evidence includes:
 - INS Form I-551 (Alien Registration Receipt Card, commonly known as a "green card") with the code CU6, CU7, or CH6;
 - Unexpired temporary I-551 stamp in foreign passport or on INS Form I-94 with the code CU6 or CU7; or
 - INS Form I-94 with stamp showing parole as "Cuban/Haitian Entrant" under Section 212(d)(5) of the INA.

7. An alien paroled into the United States for at least one year under
 Section 212(d)(5) of the INA. Evidence includes:
 - INS Form I-94 with stamp showing admission for at least one year under Section 212(d)(5) of the INA.
 (Applicant cannot aggregate periods of admission for less than one year to meet the one-year requirement.)

8. An alien paroled into the United States for less than one year under
 Section 212(d)(5) of the INA. (Evidence includes INS Form I-94 showing this status.)

9. An alien not in status categories 1 through 8 who has been admitted to
 the United States for a limited period of time (a non-immigrant). Non-immigrants are persons who have temporary status for a specific purpose. (Evidence includes INS Form I-94 showing this status.)

SECTION C: DECLARATION FOR BATTERED ALIENS

IMPORTANT: Complete this section if the applicant, the applicant's child or the applicant child's parent has been battered or subjected to extreme cruelty in the United States.

1. Has the INS or the EOIR granted a petition or application filed by or on behalf

of the applicant, the applicant's child, or the applicant's child's parent under the INA or found that a pending petition sets forth a prima facie case? Evidence includes one of the documents on List B (attached hereto).

2. Has the applicant, the applicant's child, or the applicant child's parent
[]
been battered or subjected to extreme cruelty in the United States by a spouse or parent, or by a spouse's or parent's family member living in the same house (where the spouse or parent consented to, or acquiesced in the battery or cruelty)?

SECTION D:

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE ANSWERS I HAVE GIVEN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Applicant's Signature: _____ Date: _____

Signature of Person
Acting For Applicant: _____ Date: _____

LIST A

A person who is a citizen or national of the United States.

A. Primary Evidence

- A birth certificate showing birth in one of the 50 States, the District of Columbia, Puerto Rico (on or after January 13, 1941), Guam, the U.S. Virgin Islands (on or after January 17, 1917), American Samoa, Swain's Island or the Northern Mariana Islands, unless the person was born to foreign diplomats residing in the U.S.

Note: If the document shows that the individual was born in Puerto Rico, the U.S. Virgin Islands or the Northern Mariana Islands before these areas became part of the U.S., the individual may be a collectively naturalized citizen--see Paragraph C below.

- United States passport (except limited passports, which are issued for periods of less than five years);
- Report of birth abroad of a U.S. citizen (FS-240) (issued by the Department of State to U.S. citizens);
- Certificate of birth (FS-545) (issued by a foreign service post) or Certification of Report of Birth (DS-1350) (issued by the Department of State), copies of which are available from the Department of State;
- Certificate of Naturalization (N-550 or N-570) (issued by INS through a Federal or State court, or through administrative naturalization after December 1990 to individuals who are individually naturalized: The N-570 is a replacement certificate issued when the N-550 has been lost or mutilated or the individual's name has been changed);
- Certificate of Citizenship (N-560 or N-561) (issued by the INS to individuals who derive U.S. citizenship through a parent; the N-561 is a replacement certificate issued when the N-560 has been lost or mutilated or the individual's name has been changed);
- United States Citizen Identification Card (I-197) (issued by the INS until April 7, 1983 to U.S. citizens living near the Canadian or Mexican border who needed it for frequent border crossings) (formerly Form I-179, last issued in February 1974);
- Northern Mariana Identification Card (issued by the INS to a collectively naturalized citizen of the U.S. who was born in the Northern Mariana Islands before November 3, 1986);
- Statement provided by a U.S. consular officer certifying that the individual is a U.S. citizen (this is given to an individual born outside the U.S. who derives citizenship through a parent but does not have an FS-240, FS-545 or DS-1350); or

- American Indian Card with a classification code "KIC" and a statement on the back (identifying U.S. citizen members of the Texas Band of Kickapoos living near the U.S./Mexican border).

B. Secondary Evidence

If the applicant cannot present one of the documents listed in A above, the following may be relied upon to establish U.S. citizenship or nationality:

- Religious record recorded in one of the 50 States, the District of Columbia, Puerto Rico (on or after January 13, 1941), Guam, the U.S. Virgin Islands (on or after January 17, 1917), American Samoa, Swain's Island or the Northern Mariana Islands (unless the person was born to foreign diplomats residing in such a jurisdiction) within three months after birth showing that the birth occurred in such jurisdiction and the date of birth or the individual's age at the time the record was made;
- Evidence of civil service employment by the U.S. government before June 1, 1976;
- Early school records (preferably from the first school) showing the date of admission to the school, the child's date and place of birth, and the name(s) and place(s) of birth of the parent(s);
- Census record showing name, U.S. citizenship or a U.S. place of birth, and date of birth or age of applicant;
- Adoption Finalization Papers showing the child's name and place of birth in one of the 50 States, the District of Columbia, Puerto Rico (on or after January 13, 1941), Guam, the U.S. Virgin Islands (on or after January 17, 1917), American Samoa, Swain's Island or the Northern Mariana Islands (unless the person was born to foreign diplomats residing in such a jurisdiction) or, where adoption is not finalized and the State or other jurisdiction listed above in which the child was born will not release a birth certificate prior to final adoption, a statement from a state-approved adoption agency showing the child's name and place of birth in one of such jurisdictions (NOTE: the source of the information must be an original birth certificate and must be indicated in the statement); or
- Any other document that establishes a U.S. place of birth or in some way indicates U.S. citizenship (e.g., a contemporaneous hospital record of birth in that hospital in one of the 50 States, the District of Columbia, Puerto Rico (on or after January 13, 1941), Guam, the U.S. Virgin Islands (on or after January 17, 1917), American Samoa, Swain's Island or the Northern Mariana Islands (unless the person was born to foreign diplomats residing in such a jurisdiction).

C. Collective Naturalization

If the applicant cannot present one of the documents listed in A or B above, the following may be relied upon to establish U.S. citizenship for collectively naturalized individuals:

Puerto Rico:

- Evidence of birth in Puerto Rico on or after April 11, 1899 and the applicant's statement that he or she was residing in the U.S., a U.S. possession or Puerto Rico on January 13, 1941; or
- Evidence that the applicant was a Puerto Rican citizen and the applicant's statement that he or she was residing in Puerto Rico on March 1, 1917 and that he or she did not take an oath of allegiance to Spain.

U.S. Virgin Islands:

- Evidence of birth in the U.S. Virgin Islands, and the applicant's statement of residence in the U.S., a U.S. possession or the U.S. Virgin Islands on February 25, 1927;
- The applicant's statement indicating residence in the U.S. Virgin Islands as a Danish citizen on January 17, 1917 and residence in the U.S., a U.S. possession or the U.S. Virgin Islands on February 25, 1927, and that he or she did not make a declaration to maintain Danish citizenship; or
- Evidence of birth in the U.S. Virgin Islands and the applicant's statement indicating residence in the U.S., a U.S. possession or territory or the Canal Zone on June 28, 1932.

Northern Mariana Islands (NMI) (formerly part of the Trust Territory of the Pacific Islands (TTPI));

- Evidence of birth in the NMI, TTPI citizenship and residence in the NMI, the U.S., or a U.S. territory or possession on November 3, 1986 (NMI local time) and the applicant's statement that he or she did not owe allegiance to a foreign state on November 4, 1986 (NMI local time);
- Evidence of TTPI citizenship, continuous residence in the NMI since before November 3, 1981 (NMI local time), voter registration prior to January 1, 1975 and the applicant's statement that he or she did not owe allegiance to a foreign state on November 4, 1986 (NMI local time); or
- Evidence of continuous domicile in the NMI since before January 1, 1974 and the applicant's statement that he or she did not owe allegiance to a foreign state on November 4, 1986 (NMI local time). Note: If a person entered the NMI as a nonimmigrant and lived in the NMI since January 1, 1974, this does not constitute continuous domicile and the individual is not a U.S. citizen.

D. Derivative Citizenship

If the applicant cannot present one of the documents listed in A or B above, the following may be relied upon for a determination of derivative U.S. citizenship:

Applicant born abroad to two U.S. citizen parents:

- Evidence of the U.S. citizenship of the parents and the relationship of the applicant to the parents, and evidence that at least one parent residing in the U.S. or an outlying possession prior to the applicant's birth.

Applicant born abroad to a U.S. citizen parent and a U.S. non-citizen parent:

- Evidence that one parent is a U.S. citizen and that the other is a U.S. non-citizen national, evidence of the relationship of the applicant to the U.S. citizen parent and evidence that the U.S. citizen parent resided in the U.S., a U.S. possession, American Samoa or Swain's Island for a period of at least one year prior to the applicant's birth.

Applicant born out of wedlock abroad to a U.S. citizen mother:

- Evidence of the U.S. citizenship of the mother, evidence of the relationship to the applicant and, for births on or before December 24, 1952, evidence that the mother resided in the U.S. prior to the applicant's birth or, for births after December 24, 1952, evidence that the mother had resided, prior to the child's birth in the U.S. or a U.S. possession for a period of one year.

Applicant born in the Canal Zone or the Republic of Panama:

- A birth certificate showing birth in the Canal Zone on or after February 26, 1904 and before October 1, 1979 and evidence that one parent was a U.S. citizen at the time of the applicant's birth; or
- A birth certificate showing birth in the Republic of Panama on or after February 26, 1904 and before October 1, 1979 and evidence that at least one parent was a U.S. citizen and employed by the U.S. government or the Panama Railroad Company or its successor in title.

All other situations where an applicant claims to have a U.S. citizen parent and an alien parent, or claims to fall within one of the above categories but is unable to present the listed documentation:

- If the applicant is in the U.S., he or she may contact the local INS office for determination of U.S. citizenship;
- If the applicant is outside the U.S., he or she may contact the State Department for a U.S. citizenship determination.

E. Adoption of Foreign-Born Child by U.S. Citizen

- If the birth certificate shows a foreign place of birth and the applicant cannot be determined to be a naturalized citizen under any of the above criteria, other evidence of U.S. citizenship may be obtained;
- Since foreign-born adopted children do not automatically acquire U.S. citizenship by virtue of adoption by U.S. citizens, the applicant may contact the local INS district office for a determination of U.S. citizenship if the applicant provides no evidence of U.S. citizenship.

F. U.S. Citizenship by Marriage

A woman acquired U.S. citizenship through marriage to a U.S. citizen before September 22, 1922. Evidence of U.S. citizenship of the husband, and evidence showing the marriage occurred before September 22, 1922.

Note: If the husband was an alien at the time of the marriage, and became naturalized before September 22, 1922, the wife also acquired naturalized citizenship. If the marriage terminated, the

wife maintained her U.S. citizenship if she was residing in the U.S. at that time and continued to reside in the U.S.

LIST B

A. Documentation Evidencing an Approved Petition or Application

- INS Form I-551 ("Resident Alien Card" or "Alien Registration Receipt Card" commonly known as a "green card") with one of the following INS class of admission ("COA") codes printed on the front of a white card or the back of a pink card; AR1, AR6, C20 through C29, CF1, CF2, CR1, CR2, CR6, CR7, CX1 through CX3, CX6 through CX8, F20 through F29, FX1 through FX3, FX6 through FX8, IF1, IF2, IR1 through IR4, IR6 through IR9, IW1, IW2, IW6, IW7, MR6, MR7, P21 through P23, or P26 through P28.

If an alien claiming approved status presents a code different than those enumerated, or if the class of admission from the I-551 stamp cannot be determined, INS Form G-845, and G-845 Supplement (mark item six on the Supplement) along with a copy of the document(s) presented may be filed with the local INS office in order to determine whether the applicant gained his or her status because he or she was the spouse, widow, or child of a U.S. citizen or the spouse, child, or unmarried son or daughter of an LPR (lawful permanent resident).

- INS Form I-551 with one of the following COA codes stamped on the lower left side of the back of a pink card: IB1 through IB3, IB6 through IB8, B11, B12, B16, B17, B20 through B29, B31 through B33, B36 through B38, BX1 through BX3, or BX6 through BX8.
- INS Form I-551 with COA code Z13.
- Unexpired Temporary I-551 stamp in foreign passport or on INS Form I-94 with one of the COA codes specified in the Subsections (1)-(3), above.
- INS Form I-797 indicating approval of an INS I-130 petition (only I-130 petitions describing the following relationships may be accepted: husbands or wives of U.S. citizens or LPRs, unmarried children under 21 years old of U.S. citizens or LPRs, or unmarried children 21 or older of LPRs), or approval of an I-360 petition (only I-360 approvals based on status as a widow/widower of a U.S. citizen or as a self-petitioning spouse or child of an abusive U.S. citizen or LPR may be accepted).
- A final order of an Immigration Judge or the Board of Immigration Appeals granting suspension of deportation under Section 244(a)(3) of the INA as in effect prior to April 1, 1997, or cancellation of removal under Section 240A(b)(2) of the INA.

B. Documentation Demonstrating that the Applicant has Established a Prima Facie Case

- INS Form I-797 indicating that the applicant has established a prima facie case; or
- An immigration court or Board of Immigration Appeals order indicating that the applicant has established a prima facie case for suspension of deportation under INA Section 244(a)(3) as in effect prior to April 1, 1997, or cancellation of removal under Section 240A(b)(2) of the INA.

C. Documentation indicating that the Applicant has Filed a Petition or that a Petition has been Filed on the Applicant's Behalf, as Applicable, but with no Evidence of Approval of the Petition or Establishment of a Prima Facie Case

Based on the documentation, the filing date of the petition may be determined and the following actions may be taken:

- Applicants with petitions filed before June 7, 1997 should have an INS Form I-797 indicating filing of the I-360 petition by "self-petitioning spouse [or child] of abusive U.S.C. or LPR," a file-stamped copy of the petition, or another document demonstrating filing (including a cash register or computer-generated receipt indicating filing of Form I-360).
 - Applicants with petitions filed after June 7, 1997 should have an INS Form I-797 indicating filing of the I-360 petition.
- D. Documentation Indicating that the Applicant has filed a Petition or that a Petition was filed on His or Her Behalf, as Applicable

The following must indicate that the applicant is the widow/widower of a U.S. citizen, the husband or wife of a U.S. citizen or LPR, the unmarried child under age 21 of a U.S. citizen or LPR, or the unmarried child age 21 or older of an LPR):

- For aliens on whose behalf a petition has been filed: INS Form I-797 indicating filing of an INS I-130 petition, a file-stamped copy of the petition, or another document demonstrating filing (including a cash register or computer-generated receipt indicating filing of Form I-130).
 - For self-petitioning widows or widowers: a file-stamped copy of the INS I-360 petition, or another document demonstrating filing (including a cash register or computer-generated receipt indicating filing of Form I-360).
- E. Documentation Indicating that the INS has Initiated Deportation or Removal Proceedings in which Relief may be Available
- an "Order to Show Cause";
 - a "Notice to Appear"; or
 - a "Notice of Hearing in Deportation Proceedings."
- F. Minimal or no Documentation Regarding the Claimed Filing

If the applicant has some documentation, but it is insufficient to demonstrate filing, establishment of prima facie case or approval of a petition, the INS Request Form on agency letterhead, as well as a copy of any document(s) provided by the applicant, may be faxed to the INS Vermont Service Center in order to determine the applicant's status. If the applicant has no documentation, but is certain that a petition has been filed by his or her spouse or parent, the INS Request Form may be faxed to the INS Vermont Service Center.

STATE OF CALIFORNIA

DEPARTMENT OF BUSINESS OVERSIGHT

**INSTRUCTIONS FOR CUSTOMER AUTHORIZATION
FOR DISCLOSURE OF FINANCIAL RECORDS FORM**

Enclosed is a Customer Authorization for Disclosure of Financial Records form. The Commissioner of Business Oversight is authorized to require such authorization from licensees and other persons pursuant to the authority cited in Financial Code Section 22156.

The form must be properly executed and submitted to the Department of Business Oversight.

If additional authorization forms are needed, they may be obtained from any office of the Department of Business Oversight or the Department's website (www.dbo.ca.gov), or an accurate copy of the form may be used by applicant.

**STATE OF CALIFORNIA
DEPARTMENT OF BUSINESS OVERSIGHT**

**CUSTOMER AUTHORIZATION FOR DISCLOSURE OF
FINANCIAL RECORDS
EXHIBIT E**

Pursuant to Financial Code Section 22156 and Government Code Section 7473, any financial institution, wherever situated, possessing financial records of

(Name of Applicant as appears on Application)

Licensed under the CALIFORNIA FINANCE LENDERS LAW

is hereby authorized to disclose to the California Department of Business Oversight records of the above-named business licensed under the above-described Act, whether such records relate to accounts which have been closed, accounts which are currently maintained, or accounts which are hereafter established.

This authorization is effective as of the date of execution and shall remain effective until five years after the expiration or revocation of the above-named business licensed under the above-described Act, including renewals of such license.

This authorization may not be revoked.

The terms used in this authorization shall have the definitions contained in the California Right to Financial Privacy Act (Government Code Section 7460 et seq.), and the California Finance Lenders Law (Financial Code Section 22000 et seq.).

The above-named licensee has duly caused this authorization to be signed on its behalf by the undersigned, thereunto duly authorized.

Executed on _____ at _____
(Provide date and city where executed)

(Name of Licensee)

By

(Signature)

(Title)

DEPARTMENT OF BUSINESS OVERSIGHT

Supporting a Fair and Secure Financial Services Marketplace for all Californians



NOTICES REQUIRED UNDER STATE AND FEDERAL LAW

**INFORMATION PRACTICES ACT OF 1977
(California Civil Code Section 1798.17)**

(a) The Department of Business Oversight of the State of California, is requesting the information specified in the application for licensure of mortgage lenders, mortgage brokers, mortgage lender and brokers and mortgage loan originators.

(b) The Chief Administrative Officer, the Department of Business Oversight, 1515 K Street, Suite 200, Sacramento, California, 95814, telephone (916) 445-5541, is responsible for the system of records and shall, upon request, inform individuals regarding the location of the Department of Business Oversight's records and the categories of persons who use the information in the records.

(c) The records are maintained pursuant to the California Finance Lenders Law (Financial Code Section 22000, et seq.).

(d) The submission of all items of information is mandatory unless otherwise noted. The Department of Business Oversight is required to collect from all applicants social security numbers under Family Code Section 17520, and social security numbers or federal taxpayer identification numbers under Business and Professions Code Section 494.5. The Privacy Act of 1974 prohibits a state agency from denying an individual any right, benefit or privilege provided by law because of the individual's refusal to disclose the individual's social security account number.

(e) Failure to provide all or any part of the information requested may preclude the Department of Business Oversight from approving the application.

(f) The principal purposes within the Department of Business Oversight for which the information is to be used are to determine whether (1) a license, qualification, registration, certificate or other authority should be accepted, granted, approved, denied, revoked or limited in any way; (2) business entities or individuals licensed or otherwise regulated by the Department of Business Oversight are conducting themselves in accordance with applicable laws; and/or (3) laws administered by the Department of Business Oversight are being or have been violated and whether administrative action, civil action, or referral to appropriate federal, state or local law enforcement or regulatory agencies, or to a self-regulatory organization, as authorized by law, is appropriate.

(g) Any known or foreseeable disclosures of the information pursuant to subdivision (e) or (f) of Civil Code Section 1798.24 may include transfers to other federal, state, or local law enforcement or regulatory agencies, including NMLS as a channeling agent to, from, or on behalf of those federal, state, and local law enforcement and regulatory agencies, as authorized by law.

(h) Except for Section 22105.3 of the Financial Code, the Information Practices Act grants an individual a right of access to personal information concerning the requesting individual that is maintained by the Department of Business Oversight.

FEDERAL PRIVACY ACT OF 1974 (Public Law 93-579)

In accordance with Section 7 of the Privacy Act of 1974 (found at 5 U.S.C. § 552a note (Disclosure of Social Security Number)), the following is information on whether the disclosure of a social security account number is voluntary or mandatory, by what statutory or other authority such number is solicited, and what uses will be made of it.

(1) The Department of Business Oversight is required to collect from all applicants social security numbers under Family Code Section 17520, and social security numbers or federal taxpayer identification numbers under Business and Professions Code Section 494.5. The Privacy Act of 1974 prohibits a state agency from denying an individual any right, benefit or privilege provided by law because of the individual's refusal to disclose the individual's social security account number.

(2) A social security account number or federal taxpayer identification number is solicited pursuant to one or more of the following authorities: Section s1422.5 and 1422.7 of Title 10, California Code of Regulations; Section 17520 of the Family Code; and Section 494.5 of the Business and Professions Code.

(3) For all persons disclosing a social security account number or federal taxpayer identification number, the number is used to match the information to the names on the list provided by the Department of Child Support Services under Family Code Section 17520, and the list of tax delinquencies provided by the State Board of Equalization and Franchise Tax Board under Business and Professions Code 494.5. The social security number may be used, in addition to other information provided, to conduct a background investigation of the individual by the Department of Justice's Identification and Information Branch or by other federal, state or local law enforcement agencies, as authorized by law. The social security number may also be used to respond to requests for this number made by child support agencies.

(4) The State Board of Equalization and the Franchise Tax Board are authorized to share taxpayer information with the Department of Business Oversight and the event the state tax obligation is not paid by a licensee, the Department of Business Oversight may be required to suspend the license.

Note: Authority cited Section 22150, Financial Code. Reference: Sections 31 and 494.5, Business and Professions Code; Sections 1798.17 and 1798.24