

THE CALIFORNIA CORPORATIONS COMMISSIONER HEREBY ADOPTS  
THE FOLLOWING CHANGES IN THE REGULATIONS UNDER THE  
UNDER THE CALIFORNIA FINANCE LENDERS LAW  
AS SET FORTH IN CHAPTER 3, TITLE 10,  
CALIFORNIA CODE OF REGULATIONS  
EFFECTIVE: DECEMBER 7, 2007

1. Amend Section 1409 to read:

§ 1409. Officers, Directors, ~~and Partners;~~ and Other Persons: Maintenance of Current List with Commissioner: Information Required.

A finance company shall at all times maintain on file with the Commissioner a current list of officers, directors, and partners in the case of a partnership, and other persons named in the application. Changes in partnerships are limited to the conditions set forth in Section 22151(b) of the Law. In the event of any change, other than transfers between branch offices, in the officers, directors, or partners, or other persons named in the application, a finance company shall file with the Commissioner an amendment to the application containing the same information in relation to the new ~~officers, directors, or partners~~ person(s) as is required in the ~~event of an original application for license,~~ within thirty days from the date of the change.

NOTE: Authority cited: Section 22150, Financial Code. Reference: Sections 22108, 22150 and 22151, Financial Code.

2. Amend Section 1422 to read:

§ 1422. Application for License as a Finance Lender or Broker: Form.

(a) The application for a license as a finance lender or broker pursuant to Financial Code Section 22100 shall be filed upon the form set forth in subdivision (c) of this section.

(b) Within 45 calendar days from the receipt of the application under this rule, the California Corporations Commissioner shall inform the applicant, in writing, that the application

is complete and accepted for filing, or that the application is deficient and specify what information is required to complete the application. Within 60 calendar days from the filing of a completed application, the California Corporations Commissioner shall reach a decision on the license. ~~The Commissioner's median, minimum, and maximum times for processing an application are 29 calendar days, 2 calendar days, and 122 calendar days, respectively, from the receipt of the initial application to the final decision on the license, based on the Commissioner's actual performance during the two years immediately preceding the proposal of this rule.~~

(c) An application for a license as a finance lender or broker shall be submitted to the California Corporations Commissioner on the following form:

**STATE OF CALIFORNIA**

**DEPARTMENT OF CORPORATIONS**

**INSTRUCTIONS FOR COMPLETING**

**THE APPLICATION FOR A LICENSE UNDER THE**

**CALIFORNIA FINANCE LENDERS LAW (CFL)**

**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 Corporations' toll-free telephone number at (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 Corporations 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 Corporations, located at 320 West 4<sup>th</sup> 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 CFL license in 5.d. and any person that owns or controls, directly or indirectly, 10% or more of the applicant in 5.e.

**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.

**ITEM NUMBER 7 OF APPLICATION:**

**Regulatory or Other Action:**

Financial Code Section 22109 states that an application may be denied if the applicant or other interested parties have committed specific acts. Check the appropriate box to indicate whether the applicant has been subject to any administrative or criminal action, or any civil action involving an act of dishonesty, fraud, or deceit in California, any other state, or foreign jurisdiction. 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 California Corporations Commissioner 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.

**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 California Corporations Commissioner 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-ASK-CORP (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, unless the applicant or entity can make the following representation in a separate cover letter that is incorporated by reference into the CPLL application:

1. \_\_\_\_\_ is a passive investor and is not

(Name of Entity)

responsible in any way for the conduct of the applicant's lending activities in California.

Therefore, it is unnecessary to investigate any individuals managing or controlling

\_\_\_\_\_.

(Name of Entity)

- 2, Describe whether the entity has engaged in any act that would constitute a reason for the California Corporations Commissioner to deny a license under Financial Code Section 22109 and if so, fully disclose the acts.

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 California Corporations Commissioner 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 Corporations 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 Corporations’ website at [www.corp.ca.gov](http://www.corp.ca.gov). At the home page, select “Applications & Forms” and then select “Financial Services Division.” Under “California Consumer Finance Lenders,” select “Request for Live Scan Service – Applicant Submission (BC8018CFL)” and print the form. 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 Corporations at (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 CFL application and the Statement of Identity and Questionnaire to the Department of Corporations. Make the check for the fingerprint processing fees payable to the Department of Corporations.



### 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 Corporations on fingerprint cards. Call the Department of Corporations at (866) 275-2677 to obtain fingerprint cards. The Department of Corporations 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 Corporations' processing fee of \$20 and the Department of Justice's processing fee of \$66. Make the check for all fees payable to the Department of Corporations. 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 CFLL application to the Department of Corporations.

### **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 Corporations 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**

### **Partnership Agreement**

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**

In addition to the document required in Exhibit J, foreign limited partnerships and foreign limited liability companies must provide an original certificate of qualification or good standing from the California Secretary of State.

Foreign entities must register and qualify the entity to conduct business in the State of California.

The name on the certificate must match the name listed in Item Number 1 of the application.

Label the document as Exhibit K.

**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 California Corporations Commissioner to receive service of process on behalf of the applicant.

CFLI Application Checklist

<u>Application Question</u> <u>Number or Exhibit Letter</u>	<u>Sole</u> <u>Proprietor</u>	<u>Domestic</u> <u>Corporation</u>	<u>Foreign</u> <u>Corporation</u>	<u>Domestic</u> <u>LLC</u>	<u>Foreign</u> <u>LLC</u>	<u>Domestic</u> <u>General or</u> <u>Limited</u> <u>Partnership</u>	<u>Foreign</u> <u>General or</u> <u>Limited</u> <u>Partnership</u>
<u>1. Name</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>2. Business Type</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>3. Place of Business</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>4. Sole Proprietor</u> <u>Licensee Information</u>	<u>X</u>						
<u>5. Partnership Licensee</u> <u>Information</u>						<u>X</u>	<u>X</u>
<u>6. Corporation &amp; Other</u> <u>Licensee Information</u>		<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>		

<u>7. Regulatory or Other</u>							
<u>Action</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>8. Other Business at</u>							
<u>Location</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>9. Bonding Agent</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>10. Proposed Activities</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>11. Qualification of</u>							
<u>Securities</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>A. Balance Sheet</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>B. Surety Bond</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>C. Statement of Identity</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>D. Sole Proprietor</u>							
<u>Licensee Information</u>	<u>X</u>						
<u>E. Authorization for</u>							
<u>Disclosure</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>F. Fictitious Business</u>							
<u>Name</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>G. Corporation Licensee</u>							
<u>Information</u>		<u>X</u>	<u>X</u>				
<u>H. Foreign Corporation</u>							
<u>Licensee Information</u>			<u>X</u>				
<u>I. General Partnership</u>						<u>GP ONLY</u>	<u>GP ONLY</u>
<u>Licensee Information</u>						<u>X</u>	<u>X</u>
<u>J. Limited Partnership &amp;</u>							
<u>LLC Licensee</u>						<u>LP ONLY</u>	<u>LP ONLY</u>
<u>Information</u>				<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>

<u>K. Foreign Limited</u>							
<u>Partnership &amp; LLC</u>							<u>LP ONLY</u>
<u>Licensee Information</u>					<u>X</u>		<u>X</u>
<u>Execution Section</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>

(Department of Corporations Use Only)

DEPARTMENT OF CORPORATIONS

Fee Paid \$ \_\_\_\_\_

File No. \_\_\_\_\_

Receipt No. \_\_\_\_\_

STATE OF CALIFORNIA  
DEPARTMENT OF CORPORATIONS

APPLICATION FOR A LICENSE UNDER THE  
CALIFORNIA FINANCE LENDERS LAW

APPLICATION FOR A LICENSE AS A:     LENDER     BROKER     BOTH

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~~The application must be accompanied by a fee of \$300, which includes an application fee of \$200 and an investigation fee of \$100, both of which are non-refundable.~~ The application must be accompanied by a nonrefundable application fee of \$200, a nonrefundable investigation fee of \$100, and nonrefundable fingerprint processing fees (Departments of Corporations and Justice). ~~(Financial Code Section 22103.)~~ The application (together with the fees payable to the Department

of Corporations) must be filed in the Los Angeles office of the Department of Corporations, located at 320 West 4<sup>th</sup> Street, Suite 750, Los Angeles, CA 90013.

~~The Department of Corporations has established time periods for the processing of permit applicants as required by the Permit Reform Act (Government Code Section 15374, et seq.). These time periods are set forth in the regulations of the Department of Corporations at Financial Code Sections 1422(b) and 1423(b). Failure to comply with these time periods may be appealed to the Secretary of Business, Transportation and Housing Agency, 980 9<sup>th</sup> Street, Suite 2450, Sacramento, CA 95814-2719, pursuant to the regulations of the Secretary set forth in Chapter 6 (commencing with Section 7600) of Title 21 of the California Code of Regulations. Under certain circumstances, the Secretary may require the Department of Corporations to reimburse the applicant for the filing fees paid in connection with the application.~~

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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):

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3. Applicant's proposed licensed place of business shall be ~~(Financial Code Section 22106)~~:

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

4. ~~The following must be completed if the applicant is an~~ If the applicant is a sole proprietor,  
provide the following information:

~~Individual:~~

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

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(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)

~~Those applying for a license as an individual must complete the enclosed form entitled Statement of Citizenship, Alienage, and Immigration Status. [See Exhibit L ]~~

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)

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(Number and Street)

(City)

(State)

(Zip)

5. ~~The following must be completed if the applicant is a~~ If the applicant is a general partnership or a limited partnership, provide the following information:

~~General Partnership~~  ~~Limited Partnership~~

a. ~~The partnership~~ A applicant was organized on \_\_\_\_\_ in the

(Date MM/DD/YYYY)

State of \_\_\_\_\_.

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

\_\_\_\_\_ Check here if a Managing Partner

---

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(Name)

---

(Number and Street)

(City)

(State)

(Zip)

---

---

(Name)

---

---

(Number and Street)

(City)

(State)

(Zip)

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---

(Name)

---

---

(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.

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(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.

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(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. ~~The following must be completed if the applicant is a~~ 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:

Corporation       Limited Liability Company  
 Trust       Other: \_\_\_\_\_

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, **MUST** be given for each person named below. ~~(Attach additional sheets, if necessary.)~~

*President/Chief Executive Officer:*      *Executive Vice President/Vice President:*

\_\_\_\_\_

\_\_\_\_\_

(Name)

(Name)

*Executive Vice President/Vice President:*

\_\_\_\_\_

(Name)

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(Name)

*Secretary:*

*Treasurer/Chief Financial Officer:*

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(Name)

(Name)

*Treasurer/Chief Financial Officer:*

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(Name)

*Directors:*

---

---

(Name)

(Name)

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(Name)

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(Name)

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

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(Name)

(Name)

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(Name)

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(Name)

*Trustee(s):*

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(Name)

(Name)

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(Name)



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(Name)

~~Any other officer with direct responsibility for the conduct of applicant's lending activity within the state:~~

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(Name)

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(Name)

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(Name)

~~List any person, as defined in Financial Code Section 22008 (other than those persons listed above) that owns or controls, directly or indirectly, 10% or more of the applicant. (See Financial Code Section 22105):~~

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(Name)

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(Name)

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(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, ~~must be given~~ for each of ~~the~~ person(s) who will be in charge of the place of business.

---

(Name) (Telephone ~~no.~~ Number) (E-mail Address)

---

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

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---

(Name) (Telephone ~~no.~~) (E-mail Address)

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(~~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)

7. Has the applicant been subject to any administrative action by any government agency, any criminal action, or any civil action involving an act of dishonesty, fraud, or deceit in California, or any other state, or a foreign jurisdiction? ~~If so, please provide details and attach a copy of any action. If NONE, so state. (Attach additional sheets, if necessary.)~~

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, Please describe, if applicable (Financial Code Sections 22250 & 22550), any business to be being conducted or planned to be conducted on the applicant's premises. If the California Corporations Commissioner's authorization is not required because the products or services are of a supervised financial institution affiliated with the applicant, so indicate . for which the applicant would need to obtain the commissioner's authorization under Financial Code Section 22154. If NONE, so state.~~

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

9. ~~Please provide~~ 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.

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(Name of Bonding Agent) (Telephone ~~no.~~ Number)

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

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

~~a. Please complete the following as it applies to your proposed method of operations (check all that apply)~~ 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.

~~Purpose of Loan: [ ] Commercial [ ] Consumer~~

~~Type of Collateral: [ ] Real property [ ] Personal property [ ] Unsecured~~

~~Minimum Loan Amount: \$ \_\_\_\_\_ \$ \_\_\_\_\_~~  
 (Commercial) (Consumer)

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

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

~~For Brokers License:~~

~~Loans will only be brokered to CFL licensed lenders~~

~~For Lenders License:~~

~~Source of funds will be exclusive of any funding advances from an institutional investor committed to purchasing the note.~~

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

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11. Has the applicant's offer and sale of securities been qualified in California?~~Please complete the following if the applicant's principal place of business is to be located outside of the State of California (Financial Code Section 22106):~~

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.

~~By checking the appropriate box below, the applicant attests that a board of directors' resolution (or the resolution of the governing body of a person not a corporation) has been passed electing one of the following options:~~

~~[ ] I (we) agree to make available to the Commissioner of Corporations or the Commissioner's representatives, at a location in this state designated by the~~

~~Commissioner of Corporations, or the Commissioner's representatives, the books, accounts, papers, records and files within 10 calendar days of any request from the Commissioner.~~

OR

~~[ ] I (we) agree to pay the reasonable expenses for travel, meals, and lodging of the Commissioner of Corporations or the Commissioner's representatives incurred during any investigation or examination made at the licensee's location outside this state.~~

12. ~~The following items MUST BE provided as Exhibits to the application:~~

**REQUIRED EXHIBITS:**

EXHIBIT A. ~~Please provide~~ 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 as of a date not more than 90 days prior to the date this application is filed, that indicates a minimum net worth of \$25,000. (Financial Code Section 22104; the balance sheet may be unaudited.)

EXHIBIT B. ~~Please provide~~ Provide a copy of a the original surety bond, including any and all riders and endorsements, in the amount of \$25,000. The instructions ~~Instructions~~ and surety bond form acceptable to the Department of Corporations are enclosed. ~~(Financial Code Section 22112.)~~

EXHIBIT C. ~~Please provide,~~ Provide for each individual (natural person) ~~person~~ named in Items 4, 5, & and 6 of this application, 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. ~~form enclosed. (Financial Code Section 22105.)~~

EXHIBIT D. ~~FOR INDIVIDUAL APPLICANTS ONLY. Please complete~~ SOLE PROPRIETOR ONLY: Complete the enclosed form entitled "Statement of Citizenship, Alienage, and Immigration Status For Application of Department of Corporations License or Certificate." ~~the enclosed form entitled "Statement of Citizenship, Alienage, and Immigration Status For Application of Department of Corporations License or Certificate."~~ (Title 10 C.C.R. Section 250.61.)

EXHIBIT E. ~~Please retain the enclosed form entitled "Customer Authorization of Disclosure of Financial Records and complete and return it to the Corporations Commissioner upon receipt of the license." A person named in Item 4, 5, or 6 of this application who is authorized to sign on behalf of the applicant must sign this form. (Financial Code Sections 22101, 22156.)~~ 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. If the applicant will be doing business under a fictitious business name, provide a copy of the Certificate of Filing and Proof of Publication, both of which bear the County Clerk's filing stamp. Refer to Section 17000 of the Business and Professions Code for the requirements of filing this statement. (Financial Code Section 22155.)

EXHIBIT G. ~~Please provide two copies of all advertising proposed to be used in connection with the business to be licensed. If none, the Exhibit should so state. (California Code of Regulations Section 1550.)~~

EXHIBIT H G. Please submit the following if the applicant is incorporated in the State of California (~~domestic corporation~~): 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.

1. ~~An ORIGINAL certificate of good standing or qualification duly executed not more than sixty days before filing this application by the Secretary of State of California showing that the applicant is authorized to do business in this State. The certificate must also indicate the original date of incorporation. (Financial Code Sections 22101, 22150.)~~

2. ~~A copy of the notice filed with the Department of Corporations that the initial issuance of shares of stock was entitled to an exemption pursuant to Section 25102 of the Corporations Code or was qualified for issuance in some other manner. (Financial Code Sections 22101, 22150.)~~

EXHIBIT I H. Please submit the following if the applicant is incorporated outside of the State of California (~~foreign corporation~~): (~~Financial Code Sections 22101, 22150.~~) 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.

1. ~~A certificate of good standing or qualification duly executed not more than sixty days before filing this application by the Secretary of State of the foreign state, or other proper authority showing that the applicant is authorized to transact business in that state. The certificate must also indicate the original date of incorporation.~~
2. ~~A certificate of good standing or qualification duly executed not more than sixty days before the filing of this application by the Secretary of State of California showing that the applicant is authorized to do business in California.~~
3. ~~A Consent to Service of Process (form enclosed). Service made pursuant to the terms of the consent to service of process shall have the same force and validity as if served personally on the applicant.~~
4. ~~Name and address of the principal agent in California.~~

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

~~EXHIBIT J. If the applicant is a Trust, Limited Partnership or Limited Liability Company (domestic business entity) submit an ORIGINAL certificate of good standing, qualification, or other document duly executed not more than sixty days before filing this application by the Secretary of State of California showing that the applicant is authorized to do business in this State. The certificate must also indicate the original date of incorporation. (Financial Code Sections 22101,~~

22150.) 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. Please submit the following if the applicant is a Trust, Limited Partnership or Limited Liability Company organized outside of the State of California (*foreign* business entity): (Financial Code Sections 22101, 22150.)~~ 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.

~~1. A certificate of good standing or qualification duly executed not more than sixty days before filing this application by the Secretary of State of the foreign state, or other proper authority showing that the applicant is authorized to transact business in that state. The certificate must also indicate the original date of incorporation.~~

~~2. A certificate of good standing or qualification duly executed not more than sixty days before the filing of this application by the Secretary of State of California showing that the applicant is authorized to do business in California.~~

~~3. A Consent to Service of Process (form enclosed). Service made pursuant to the terms of the consent to service of process shall have the same force and validity as if served personally on the applicant.~~

~~4. Name and address of the principal agent in California.~~

~~*EXHIBIT L. AFFIDAVIT REGARDING LAW AND RULES.* Please complete and attach the enclosed declaration regarding the applicant's knowledge of the California Finance Lenders Law and Rules. Only one responsible officer or director is required to complete this form.~~

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 is not an operating subsidiary of a federally chartered bank or financial institution that is subject to oversight by the federal regulatory agency in accordance with federal law (12 U.S.C. § 1 et seq.).
  
3. That the applicant agrees to comply with the requirements of the California Finance Lenders Law, the rules adopted, and the orders issued by the California Corporations Commissioner.
  
4. 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 California Corporations Commissioner.

5. That the applicant will file with the California Corporations Commissioner 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.
  
6. That the applicant agrees to report any change of business location at least 10 days prior to the change.
  
7. That the applicant for a broker's 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, finders 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).
  
8. 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.

9. 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.
10. 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).
11. That the applicant agrees to obtain a new license issued pursuant to the California Finance Lenders Law for each additional location.
12. That the applicant agrees to comply with limitations on rates and charges for loans under the California Finance Lenders Law.
13. That the applicant agrees to obtain the California Corporations Commissioner'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.
14. That the applicant agrees that real estate may not be taken as security for a consumer loan of less than \$5,000.
15. That the applicant agrees that commercial loans of less than \$5,000 are treated as consumer loans under the law.



16. For high interest rate loans secured by real estate, that the applicant agrees to comply with the additional disclosure and consumer protection requirements of the Covered Loan Law (Financial Code Section 4970 et seq.).
17. 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).
18. That the applicant agrees to not charge interest on a loan secured by real estate for more than one day prior to the date the loan proceeds are disbursed from escrow.
19. 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 California Corporations Commissioner.
20. 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.
21. That the applicant will file with the California Corporations Commissioner any report required by the Commissioner.
22. That the applicant agrees to maintain books and records sufficient to document compliance with the California Finance Lenders Law.

23. 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 California Corporations Commissioner.
24. 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.
25. That the applicant will submit to periodic examinations by the California Corporations Commissioner as required by the California Finance Lenders Law.
26. That the applicant agrees to pay for the costs of each examination.
27. That the applicant, if located outside of the State of California, agrees to make available to the California Corporations Commissioner or the Commissioner's representatives, at a location in this state designated by the California Corporations Commissioner, or the Commissioner's representatives, the books, accounts, papers, records and files within 10 calendar days of any request from the Commissioner; or to pay the reasonable expenses for travel, meals, and lodging of the California Corporations Commissioner or the Commissioner's representatives incurred during any investigation or examination made at the licensee's location outside this state.

28. That the applicant agrees to pay an annual assessment each year of a minimum of \$250 per location.
29. That the applicant agrees to file an annual report by March 15 of each year.
30. That the applicant agrees to maintain a surety bond of \$25,000 at all times.
31. That the applicant hereby attests that the applicant (including officers, directors, general partners, persons responsible for the applicant's lending activities in California and persons owning or controlling, directly or indirectly, 10% or more of the applicant) has not engaged in conduct that would be cause for denial of a license. (Only one declaration required for each applicant.)
32. That, if applicable, the applicant will 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.
33. That the applicant will comply with the examination requirements concerning advertising pursuant to California Code of Regulations Section 1550.
34. By signing the application, the applicant hereby irrevocably appoints the California Corporations Commissioner of the State of California, or the Commissioner's successor in office, to be the undersigned's attorney to receive service of any lawful process in any

noncriminal suit, action or proceeding against the undersigned, or the undersigned's successor, executor, or administrator which arises under the California Finance Lenders Law or any rule or order thereunder after this consent has been filed, with the same force and validity as if served personally on the undersigned. For the purpose of compliance with the California Finance Lenders Law of the State of California, notice of the service and a copy of process must be sent by registered or certified mail to the undersigned at the following address:

---

(Name)

---

(Number and Street)

(City)

(State)

(Zip Code)

~~EXECUTION SECTION~~

~~Please indicate~~Indicate the name, address, title, address, and 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: \_\_\_\_\_

(Email Address)

~~In the event of the issuance of a license, applicant agrees to comply with the requirements of the California Finance Lenders Law and rules adopted, and orders issued, by the Commissioner of Corporations, and further agrees that in the event of any change of its officers, directors, or any persons named in this application, that an amendment to the application reflecting such change shall within sixty days from the date of the change, be filed with the Commissioner of Corporations setting forth the change, the effective date of the change, the names of the persons involved in the change, and a statement of the qualifications of each successor person. (Financial Code Section 22105(a), California Code of Regulations Sections 1409, 1446.)~~

WHEREFORE, applicant requests that a license be issued by the ~~Commissioner of Corporations~~ California Corporations Commissioner 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.

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 CORPORATIONS

INSTRUCTIONS FOR FILING OF SURETY BOND

EXHIBIT B

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

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

1. The signature of the attorney-in-fact for the surety company.
2. ~~A notarial jurat for~~ 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. ~~The notarial jurat for the~~ A notarized signature of the licensee.

BEFORE THE  
DEPARTMENT OF CORPORATIONS  
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 Corporations 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 Corporations 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 Corporations 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 Corporations 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

Corporations 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 Corporations of the State of California, at the Los Angeles office of the Department of Corporations.
  
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 Corporations of the State of California, at the Los Angeles office of the Department of Corporations.

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)

~~under the laws of the State of California.~~

\_\_\_\_\_  
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

DEPARTMENT OF CORPORATIONS

STATE OF CALIFORNIA

EXHIBIT C

\_\_\_\_\_

\_\_\_\_\_

File No. Number, if any

\_\_\_\_\_

Licensee (Company Name)

Insert Department of Corporations file number, if any,  
and the name of the licensee (company) to which this  
Statement of Identity and Questionnaire relates.

*(Insert Department of Corporations file number, if any, and the name of the licensee (company) to which this  
Statement of Identity and Questionnaire relates.)*

~~This document shall be treated by the Department of Corporations as being received in confidence pursuant to  
paragraph (4) of subdivision (d) of Section 6254 of the Government Code.~~

STATEMENT OF IDENTITY AND QUESTIONNAIRE

Exact Full Name \_\_\_\_\_

(Please Print)

First Name

Middle Name

Last Name

(Do not use initials or nicknames)

Insert Full Name \_\_\_\_\_ Insert Licensee  
of Individual: \_\_\_\_\_ (Company Name): \_\_\_\_\_

Position to be filled in connection with the preparation of this questionnaire (*e.g. Officer, Director, Manager, etc.*  
e.g., Officer, Director, Manager, etc.)

Sex \_\_\_\_\_ Hair \_\_\_\_\_ Eyes \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_

Birthdate \_\_\_\_\_ Birthplace \_\_\_\_\_

Birthdate \_\_\_\_\_ Birthplace \_\_\_\_\_

Social Security or

California Driver's License

Taxpayer's Identification No. \_\_\_\_\_

No. if any \_\_\_\_\_

Social Security Number \_\_\_\_\_

California Driver's License Number

See Commissioner's Release 2-G regarding

(if none, so state) \_\_\_\_\_

whether furnishing the social security number is

mandatory or voluntary and for a description of the

use made of that information.

~~NOTE: See Commissioner's Release 2-G regarding whether or not furnishing the social security number is  
mandatory or voluntary and for a description of the use made of that information.~~

Residence \_\_\_\_\_ Business \_\_\_\_\_ Hours of

Phone No. \_\_\_\_\_ Phone No. \_\_\_\_\_ Employment \_\_\_\_\_

Residence

Business

Phone Number \_\_\_\_\_

Phone Number \_\_\_\_\_

Insert Full Name of Individual: \_\_\_\_\_ Insert Licensee (Company Name): \_\_\_\_\_

Email \_\_\_\_\_ Hours of Employment \_\_\_\_\_  
Address \_\_\_\_\_ (e.g., 8:00 a.m. to 5:00 p.m.) \_\_\_\_\_

1. Residence addresses for the last 10 years:

From	To	Street	City	State	Zip Code
	Present				

~~NOTE: Attach separate schedule if space is not adequate~~ Attach separate schedule if space is not adequate.

2. Employment for the last 10 years:

From	To	Employer Name and Address	Occupation and Duties
	Present		

Insert Full Name of Individual: \_\_\_\_\_ Insert Licensee (Company Name): \_\_\_\_\_

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

~~NOTE: Attach separate schedule if space is not adequate. 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



Insert Full Name of Individual: \_\_\_\_\_ Insert Licensee (Company Name): \_\_\_\_\_

If the answer is "Yes", give details:

---



---

4. a. ~~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 or revoked?~~ 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 below the following for each license give details:

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

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:

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---

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 violations scitations that do not constitute a misdemeanor or felony offense?

*~~NOTE: "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 Institutions Code.~~*

"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 Institutions Code.

Yes       No

If the answer is "Yes", give details:

Insert Full Name \_\_\_\_\_ Insert Licensee  
of Individual: \_\_\_\_\_ (Company Name): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
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.

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?

Insert Full Name of Individual: \_\_\_\_\_ Insert Licensee (Company Name): \_\_\_\_\_

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?

*(Including a woman's maiden name)*

Yes  No

If so, explain. Change in name through marriage or court order ~~should also be listed.~~ **EXACT DATE OF EACH NAME CHANGE MUST BE LISTED.** and exact date of each name change must be listed.

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10. Have you ever done business under a fictitious firm name either as an individual or in any form of business, e.g., in the partnership, limited liability company, corporation or corporate form other?

Yes  No

If the answer is "Yes", give details ~~set forth particulars:~~

---

---

Insert Full Name of Individual: \_\_\_\_\_ Insert Licensee (Company Name): \_\_\_\_\_

~~NOTE: The following questions must be answered by all persons submitting this questionnaire in connection with an ESCROW AGENT'S LICENSE.~~ 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.)~~ (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 ~~please explain:~~

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~~NOTE: Attach separate schedule if space is not adequate.~~

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

**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)

(City)

\_\_\_\_\_  
(County)

(State)

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
(Signature of Declarant Print Name)

---

(Signature of Individual)

State of \_\_\_\_\_)

County of \_\_\_\_\_)

Date \_\_\_\_\_, 20\_\_\_\_\_

at \_\_\_\_\_

---

(Signature of ~~Affiant~~Individual)

Subscribed and sworn to before me

\_\_\_\_\_, 20\_\_\_\_\_

---

Notary Public in and for said County and State

~~NOTE: 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.~~

STATE OF CALIFORNIA

DEPARTMENT OF CORPORATIONS

INSTRUCTIONS FOR CUSTOMER AUTHORIZATION  
FOR DISCLOSURE OF FINANCIAL RECORDS FORM

Enclosed is a Customer Authorization for Disclosure of Financial Records form. The California Corporations Commissioner 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 Corporations.

If additional authorization forms are needed, they may be obtained from any office of the Department of Corporations or the Department's website ([www.corp.ca.gov](http://www.corp.ca.gov)), or an accurate copy of the form may be used by applicant.



*STATE OF CALIFORNIA*  
*DEPARTMENT OF CORPORATIONS*

*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 ~~Company~~ Applicant as appears on Application)

Licensed under the CALIFORNIA FINANCE LENDERS LAW

is hereby authorized to disclose to the California Department of Corporations 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)

*STATE OF CALIFORNIA*

*DEPARTMENT OF CORPORATIONS*

*INSTRUCTIONS FOR CUSTOMER AUTHORIZATION*

*FOR DISCLOSURE OF FINANCIAL RECORDS FORM*

~~On the reverse side is a Customer Authorization for Disclosure of Financial Records form. The Commissioner of Corporations 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 prior to the issuance of a license, qualification, registration, or other authority, and as a condition thereof.~~

~~All information required on the form, except the signature of the person executing the form, is to be typewritten.~~

~~If additional authorization forms are needed, they may be obtained from any office of the Department of Corporations, or an accurate copy of the form may be used by applicant.~~

~~STATE OF CALIFORNIA~~  
~~TO THE COMMISSIONER OF CORPORATIONS OF~~  
~~THE STATE OF CALIFORNIA~~

~~CONSENT TO SERVICE OF PROCESS~~  
~~EXHIBITS I AND K~~

~~KNOW ALL MEN BY THESE PRESENTS:~~

~~\_\_\_\_\_ That the undersigned, [ \_\_\_\_\_ (a  
corporation, partnership or limited liability company organized under the laws of the State of  
\_\_\_\_\_), (an individual), (other \_\_\_\_\_) hereby  
irrevocably appoints the Commissioner of Corporations of the State of California, or the  
Commissioner's successor in office, to be the undersigned's attorney to receive service of any  
lawful process in any noncriminal suit, action or proceeding against the undersigned, or the  
undersigned's successor, executor, or administrator which arises under the California Finance  
Lenders Law or any rule or order thereunder after this consent has been filed, with the same force  
and validity as if served personally on the undersigned.~~

~~\_\_\_\_\_ For the purpose of compliance with the California Finance Lenders Law, notice of the  
service and a copy of the process should be sent by registered or certified mail to the undersigned  
at the following address:~~

~~\_\_\_\_\_~~

~~(Name and Address)~~

Dated: \_\_\_\_\_

By \_\_\_\_\_

Title \_\_\_\_\_

ACKNOWLEDGEMENT

STATE OF \_\_\_\_\_)

COUNTY OF \_\_\_\_\_)

On \_\_\_\_\_ before me, (here insert name and title of the officer),  
personally appeared \_\_\_\_\_

personally known to me (or provided to me on the basis of satisfactory evidence) to be the  
person(s) who/whose name(s) is/are subscribed to the within instrument and acknowledged to me  
that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their  
signature(s) on the instrument are the person(s), or the entity upon behalf of which the person(s)  
acted, executed the instrument.

WITNESS my hand and official seal.

Signature \_\_\_\_\_ (Seal)

Any certificate of acknowledgement taken in another place shall be sufficient in this state if  
it is taken in accordance with the laws of the place where the acknowledgement is made.

~~STATE OF CALIFORNIA~~  
~~DEPARTMENT OF CORPORATIONS~~  
~~AFFIDAVIT REGARDING LAW & RULES~~  
~~CALIFORNIA FINANCE LENDERS/BROKERS LICENSE~~  
~~EXHIBIT L~~

~~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. I (we) have 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 am familiar with their content.~~
  
- ~~2. I (we) agree to comply with all of the provision of the California Finance Lenders Law and Finance Company Rules.~~

~~Additionally, by signing this declaration as provided for on the Execution Page, the applicant hereby agrees (or attests) or declares their understanding of the following items listed below:~~

- ~~1. That the brokers license issued pursuant to this Division does not provide the authority to broker loans to a lender that are not licensed as finance lenders as defined in Section 22009 and that finance lenders may not pay compensation for brokerage services (i.e.~~

~~brokerage commission, finders 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.~~

- ~~2. That the applicant will maintain staff adequate to meet the requirements of the California Finance Lenders Law, as prescribed by rule or order of the Commissioner of Corporations.~~
- ~~3. That the applicant will keep and maintain for 24 months from the date of final entry the business records and other information required by law or rules of the Commissioner of Corporations regarding any mortgage loan made or serviced in the course of the conduct of its business.~~
- ~~4. That the applicant will file with the Commissioner of Corporations any report required by the Commissioner.~~
- ~~5. That the applicant will file with the Commissioner of Corporations 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.~~
- ~~6. That the applicant will submit to periodic examinations by the Commissioner of Corporations as required by the California Finance Lenders Law.~~

- ~~7. 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.~~
- ~~8. That the applicant will hereby attests that the applicant (including officers, directors and principals) has not engaged in conduct that would be cause for denial of a license. Only one declaration required for each applicant.~~

~~I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.~~

Executed on \_\_\_\_\_ at \_\_\_\_\_.

(date)

(place)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print name and title)

NOTE: Authority cited: Section 22150, Financial Code. Reference: Sections 22000, 22100, 22101, 22101.5, 22102, 22103, 22104, 22105, 22106, 22107, 22108, 22112, 22153, 22154, 22157, and 22159, Financial Code.



3. Amend Section 1423 to read:

§ 1423. Short Form Application for Licensees Seeking Additional Location License; Form.

(a) The application for a licensee seeking an additional location license pursuant to Financial Code Section 22102**(b)** shall be filed upon the form set forth in subdivision ~~(e)~~ **(b)** of this section. An applicant under this section must currently hold a valid finance lender or broker license pursuant to Financial Code Sections 22100 and 22101.

~~(b) Within 20 calendar days from the receipt of the application under this rule, the Commissioner shall inform the applicant, in writing, that the application is complete and accepted for filing, or that the application is deficient and specify what information is required to complete the application. Within 15 calendar days from the filing of a completed application, the Commissioner shall reach a decision on the license.~~

~~(e)~~ **(b)** An application for a licensee as set forth in subdivision (a) shall be submitted to the California Corporations Commissioner on the following form:

**STATE OF CALIFORNIA**

**DEPARTMENT OF CORPORATIONS**

**INSTRUCTIONS FOR COMPLETING**

**THE SHORT FORM APPLICATION FOR A LICENSE**

**UNDER THE CALIFORNIA FINANCE LENDERS LAW (CFLL)**

## **ASSISTANCE WITH THE APPLICATION**

Refer to these instructions while completing the CFLI short form application. If you have questions about the application that are not answered by these instructions, call the Department of Corporations' toll-free telephone number at (866) 275-2677. Department 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 any attachments must be typewritten. The signature must be original and not a copy. Attach additional sheets if you need more space to complete an answer to any of the questions and label the answers by the corresponding question number. Answer every question in the application.

A CFI licensee seeking to engage in business at an additional location must submit this application to the California Corporations Commissioner by certified mail, return receipt requested, at least 10 days before engaging in business at the location.

The application must be accompanied by a nonrefundable application fee of \$200 and an investigation fee of \$100. The application fee and investigation fee are not refundable if the application is denied or withdrawn.

Make the check payable to the Department of Corporations for the total amount of all fees. The application, attachments, and fees must be filed only in the Los Angeles office of the Department of Corporations, located at 320 West 4<sup>th</sup> Street, Suite 750, Los Angeles, California 90013.

## **THE CFLL SHORT FORM APPLICATION**

The headings used in these instructions correspond to the item numbers in the application.

### **ITEM NUMBER 1 OF APPLICATION:**

#### **Name of Applicant:**

Provide the applicant's legal name. 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. These entities should provide that assumed name as the "Name of Applicant" and may only use that name. These entities are not permitted to use a fictitious business name.

#### **Fictitious Business Name:**

An applicant that intends to conduct CFLL business under a fictitious business name that is different from its legal name should provide the fictitious business name here. Provide the name that appears on the Fictitious Business Name Statement as filed with the county clerk.

The use of a fictitious business name is not permitted for a new location unless the Department of Corporations has already approved the use of that name. If the fictitious business name has not been approved by the Department of Corporations, approval of a new fictitious business name may be requested from the Department of Corporations by submitting under separate cover a copy of the 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. This document should be forwarded along with a written request to CFLL Licensing Specialist, Department of Corporations, 320 West 4<sup>th</sup> Street, Suite 750, Los Angeles, California 90013. 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 Business and Professions Code Section 17900 et seq.

**ITEM NUMBER 2 OF APPLICATION:**

**Applicant’s Licensed Place of Business:**

Provide the applicant’s complete proposed place of CFLL business, including number and street, city, county, state, zip code, telephone number, and fax number.

**ITEM NUMBER 3 OF APPLICATION:**

**Individual in Charge of this Location:**

Each office must have a person who is in charge. Provide the full name of the individual who will be in charge of this location. If the applicant has no middle name, indicate, e.g. “John [no middle name] Smith.”

**Statement of Identity and Questionnaire:**

The individual named in Item Number 3 of the application must complete and submit a Statement of Identity and Questionnaire. If a Statement of Identity and Questionnaire has already been provided to the Department for the individual named in Item Number 3, there is no need to complete the form. The same individual cannot be in charge of multiple locations, and each location **must have** an individual in charge.

The 10-year employment and residence history 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.

**ITEM NUMBER 4 OF APPLICATION:**

**Applicant’s Plan of Business:**

Mark the appropriate box with either a “yes” or “no” response to indicate if there has been any change in the plan of business of making or brokering loans or other business that was previously submitted to the Department of Corporations. If “yes”, explain the change.

**ITEM NUMBER 5 OF APPLICATION:**

**Applicant’s License Number:**

Provide the existing license number and address of at least one other CFLL license currently held by the applicant.

**ITEM NUMBER 6 OF APPLICATION:**

**Responsible Officer or Compliance Person:**

Provide the name, title, address, email address, and telephone number of the contact person to whom questions regarding the filing of this application should be directed. The responsible officer or compliance person must be from the main office of the company, and may not be a branch manager.

**SIGNATURE SECTION:**

Provide the required information. The Signature Section must be signed by an officer who has

previously completed and submitted a Statement of Identity and Questionnaire to the Department of Corporations.

The application must be signed by the applicant if a sole proprietor, by a general partner if a partnership, or by an authorized officer, if a corporation.

(Department of Corporations Use Only)

DEPARTMENT OF CORPORATIONS

Fee Paid \$ \_\_\_\_\_

File No. \_\_\_\_\_

Receipt No. \_\_\_\_\_

STATE OF CALIFORNIA

DEPARTMENT OF CORPORATIONS

“SHORT FORM APPLICATION”

FOR A LICENSE UNDER THE

CALIFORNIA FINANCE LENDERS LAW

FOR A LICENSEE CURRENTLY HOLDING ONE OR MORE LICENSES

*APPLICATION FOR A LICENSE AS A:*  LENDER  BROKER  BOTH

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This application must be accompanied by a fee of \$300 by a nonrefundable application fee of \$200 and a nonrefundable investigation fee of \$100. which includes an application fee of \$200, and an

~~investigation fee of \$100, both of which are non-refundable.~~ (Financial Code Section 22103.) The application (together with the fees payable to the Department of Corporations) must be filed ~~only~~ ONLY in the Los Angeles office of the Department of Corporations, located at 320 West 4th Street, Suite 750, Los Angeles, CA 90013.

A licensee seeking to engage in business at a new location must submit this application to the California Corporations Commissioner by certified mail, return receipt requested, at least 10 days before engaging in business at the new location.

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. In addition, 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).

---

1. Name of applicant: \_\_\_\_\_

Fictitious Business Name (FBN): \_\_\_\_\_

(FBN must already be on file with the Department. [Financial Code Section 22102(e)])

(If the applicant ~~will be doing~~ seeks to do business under a ~~fictitious business name~~ FBN that has not been previously ~~provided to~~ approved by the Department of Corporations)



(Department), additional information will need to be submitted under separate cover. Use of a new proposed FBN is not allowed until such time as written approval is received from the Department approving the use of such name. Approval of a new FBN may be requested by submitting under separate cover provide a copy of the Certificate of Filing and Proof of Publication, both of which bear the County Clerk's filing stamp. Fictitious Business Name Statement with the "filed stamp" from the county clerk's office along with a written request. The applicant's name must appear as a registrant on the Fictitious Business Name Statement. Refer to Section 17900 of the Business and Professions Code for the requirements of for filing this statement the Fictitious Business Name Statement. (Financial Code Section 22155.)

2. Applicant's licensed place of business will be located at (Financial Code Section 22106):  
(If outside of California provide statement required in Financial Code Section 22106.)

---

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

---

(Telephone Number)

---

(Fax Number)

3. The FULL first, middle (if no middle name, so indicate) and last name (if no middle name, so indicate) of the individual in charge of this location. Each office must have a person who is in charge and the same individual cannot be in charge of multiple locations.

---

\*(Last Name)

(First Name)

(Middle Name)

(\*~~Furnish~~ Complete a Statement of Identity and Questionnaire (FS 512 SIQ). The form is located on the Department of Corporations' website at [www.corp.ca.gov](http://www.corp.ca.gov) and is printed as Exhibit C in Section 1422. If ~~this~~ the Statement of Identity and Questionnaire form has already been provided to the Department for this individual, there is no need to provide another form. (~~Form attached.~~) (Financial Code Section 22105:))

4. ~~Please indicate~~ Indicate by marking the appropriate box if there has been or will be ANY CHANGE in the applicant's plan of business of making or brokering loans or other business as described in Financial Code Section 22154 that was previously submitted to the Department of Corporations. If "yes", provide explanation.

Yes (~~please explain~~) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

No:

5. ~~Please provide~~Provide license number and address of one other ~~CFL~~California Finance Lenders Law license held by this applicant.

File #License Number \_\_\_\_\_ Address \_\_\_\_\_

6. ~~Please provide~~Provide the name, ~~title, and~~ address, ~~email address, and telephone number~~ of the person to contact regarding this application. The license will also be mailed to this person unless otherwise instructed. The name of the person must be a responsible officer or compliance person from the main office of the company. The name of the branch manager does not belong here.

Attention: \_\_\_\_\_

(Name)

(~~Title~~)

(~~Telephone Number~~Title)

\_\_\_\_\_  
(Number and Street)

(City)

(State)

(Zip Code)

~~Email Address:~~ \_\_\_\_\_  
\_\_\_\_\_

(Email Address)

(Telephone Number)

In the event of the issuance of a license, applicant agrees to comply with the requirements of the California Finance Lenders Law and rules adopted, and orders issued, by the California Corporations Commissioner of ~~Corporations~~, and further agrees that in the event of any change of its officers, directors, or any other persons named in this application, that an amendment to the

application ~~reflecting such change~~ containing the same information in relation to the new person(s) as is required in the application shall be filed with the California Corporations Commissioner within ~~sixty~~thirty days from the date of the change, ~~be filed with the Commissioner of Corporations setting forth the change, the effective date of the change, the names of the persons involved in the change, and a statement of the qualifications of each successor person.~~ (Financial Code Section 22105(a), California Code of Regulations Sections 1409 (10 C.C.R. §1409).)

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

If the proposed location in Item Number 2 is out-of-state, applicant agrees to make its books and records available in this state, or pay the reasonable expenses incurred during an investigation or examination outside this state.

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.

I declare under penalty of perjury 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.

	_____
	(Applicant)
Executed at _____	_____
(City, County, and State)	(Signature of Declarant)*
Date _____	_____
	(Typed Name of Declarant)*
	_____
	(Title)*

\*This Short Form Application must be signed by an officer who has PREVIOUSLY completed and submitted a Statement of Identity and Questionnaire. No other officer is authorized to sign documents on behalf of the applicant.

NOTE: Authority cited: Section 22150, Financial Code. Reference: Sections 22101, 22102 and 22106, Financial Code.