

Regulated Lenders Transfer of License Checklist

Required for all applicants:

- 1. Statement of Experience (Form)
- 2. Business Operation Plan (Form)
- 3. Financial Statement (Form)
- 4. Supporting financial information (Form <u>AMD 18</u> & <u>ADM 19</u>)
- 5. Bank Confirmation (Form)
- Loan Document Loan documents not already approved by the OCCC must undergo review with <u>Plain Language</u> for approval prior to approval of a license
- License application fee \$800* as of 01/2020**
- Statutory agent A Texas resident and an address different from the proposed business location
- 9. Statement of Record An address of where the business records will be stored
- 10. Principal Party Information
 - a. Personal Affidavit
 - Personal Employment History (<u>10</u> <u>years</u> of **consecutive data** prior to the application submission date)
 - c. Personal Questionnaire
- 11. Evidence of Transfer Bill of Sale/Asset purchase agreement
- 12. Signed & dated Permission to Operate
- 13. Fingerprints (Receipt received at the IDENTOGO office) Your reviewer will send you instructions to schedule & complete your fingerprints.

Items 7-10 are processed/entered in ALECS

This is a general checklist. For more detail, review Texas Administrate Code §83, the authority over application requirements.

*License fees are subject to change

** As of 01/2020 REG licenses are renewed in December annually regardless of when the license was acquired.

2601 N. Lamar Blvd. Austin, TX 78705

Additional Requirements For LLC's Corporations, LTD's:

- <u>Articles of Incorporation from the Texas</u> <u>Secretary of State</u> - (Certificate of Formation, Application for Registration, Certificate of Authority. A Certificate of Filing will not meet this requirement.
- Certificate of Good Standing (Now known as a <u>Franchise Tax Account Status</u> from the Texas Comptroller's Office) Upload a screenshot of the results with an "As of" date of no more than 3 months prior to the application submission date and an "Active" status.
- If a parent company holds part or whole ownership of the applying entity, upload a statement or diagram describing each level of ownership/management of the parent company(ies) up to a natural person (not another entity)

Additional requirements for:

Trusts:

• The instrument that created the Trust & Trust Agreement

General Partnerships:

• Partnership Agreement, signed & dated by all partners

Estates:

• The instrument that established the Estate

DBA/Assumed Names

If you will be using/operating under a DBA, you must provide the proof* of filing.

Sole Proprietors & General Partnerships:

Assumed Name Certificate from the County Clerk

All others: Assumed Name Certificate from the Texas Secretary of State **Proof will be uploaded in ALECS during the application process.*

occc.texas.gov

	2601 N Lamar Blvd Austin, TX 78705	Applic	cation for License Transfer
TEXAS OFFICE OF CONSUMER CREDIT COMMISSIONER	Phone: 512.936.7600 Fax: 512.936.7610 licensing@occc.texas.	Dogulo	ted Industry
Ownership Structure	License Status (License will be:)	.907	Application Type
			E PROVIDED ON THE OCCC WEBSITE. ENSURE YOU READ E COMPLETING AND SUBMITTING YOUR APPLICATION.
Section 1: Identifying Inform	mation - Buyer Info		
Buyer Entity Name or Name	e of Owner/Sole Proprie	etor	FEIN (Federal Employment Identification Number), or SSN (Social Security Number) of Owner/Sole Proprietor
Buyer Operating Name (d/b	o/a) _		EmailAddress
Seller Master file	License Number	Being Transferred	All correspondence will be sent to this email address.
MailingAddress			
City	State	Zip Code	
Proposed Business Address			Location Phone Number
City State	Zip Code	County	Location Fax Number
Website Address			Name of Location Manager
Section 2: Main Office Con Contact Informat	ion for Application		Compliance Officer
L			
Name			Name
Title			Title
EmailAddress			EmailAddress
Business Phone Numb	er		Business Phone Number
FaxNumber			FaxNumber



percentage of ownership

Section 3: Owners and Principal Parties

Proprietorships: Include spouses with community property interest.

General Partnerships: Provide names of all general partners regardless of

- 7 TAC, §83.302 (Regulated Lenders),
- 7 TAC, §84.602 (Motor Vehicle Sales Finance),
- 7 TAC, §85.202 (Pawn Shops), or
- 7 TAC, §89.302 (Property Tax Lender)

If additional space is needed, attach a document identifying all required information noted below.

Owners: Proprietors, Partners, Members, or Stockholders

Name	% of Ownership	% of Ownership Name		% of Ownership
Name	% of Ownership	% of Ownership Name		% of Ownership
Name	% of Ownership	Name		% of Ownership
Name	% of Ownership	Name	Name % o	
	Princip	al Parties		
Officers				
President	Vice President		Secretary	
Treasurer	Other		Other	
Directors				
Name	Name		Name	
Name	Name		Name	
Name	Name		Name	
Other Principal Parties (Men	nbers, Managers, Etc)			
Name	Name		Name	



Section 4: Disclosure Questions

If the answer to any of the below questions is "YES", provide a summary of each event or proceeding and copies of relevant documents as an attachment.

(A) Has the entity or control affiliate ever:	YES	NO
1) been convicted of or pled guiltyor nolo contendre ("no contest") to a felony in a domestic, foreign, or military court; or		
2) beenchargedwithanyfelony?		
(B1) During the past ten (10) years, has the entity or control affiliate been convicted of or pled guilty or <i>nolo contendre</i> in a domestic, foreign, or military court to committing or conspiring to commit a misdemeanor involving: financial services or a financial services related business, fraud, false statements, theft or wrongful taking of property, bribery, perjury, forgery, counterfeiting, or extortion?		
(B2) Are the repending charges against the entity or a control affiliate for a misdemean or specified in (B1)?		
(C) In the past ten (10) years, has any state, federal, or foreign regulatory agency ever:		
1) found the entity or a control affiliate to have made a false statement or omission or been dishonest, unfair, or unethical;		
 found the entity or a control affiliate to have been involved in a violation of a financial services related regulation(s) or statute(s); 		
 found the entity or a control affiliate to have been the cause of a financial services related business having its authorization to do business denied, suspended, revoked or restricted; 		
4) entered an order against the entity or control affiliate in connection with a financial services related activity; or,		
5) denied, suspended, or revoked the entity's or a control affiliate's registration or license or otherwise, by order, prevented it from associating with a financial services related business or restricted its activities?		
(D) Has the entity's or a control affiliate's authorization to act as an attorney, accountant, or state or federal contractor ever been revoked or suspended?		
(E) Is the entity or a control affiliate now the subject of any regulatory proceeding that could result in a "yes" answer to any part of Section C(4)?		
(F1)Hasanydomesticorforeigncourtinthepastten(10)years:		
a) enjoined the entity or control affiliate in connection with any financial services related activity;		
b) found the entity or a control affiliate to be in violation of any financial services related statute(s) or regulation(s); or		
c) dismissed, pursuant to a settlement agreement, a financial services related civil action brought against the applicant or control affiliate by a state or foreign financial regulatory authority?		
(F2)Is the entity or a control affiliate named in any pending financial services related civil action that could result in a "yes" answer to any part of (F1)?		
(G) Has a bonding company ever denied, paid out on, or revoked a bond for the entity?		
(H) Does the entity have any unsatisfied judgments or liens against it?		
The following questions are to be answered by Pawnshop License Applicants only.		
(I) If applicant intends to deal in firearms, has applicant applied for or obtained a Federal Firearms License?		
(J) Within what municipal jurisdiction is the shop to be located?		

(K) If the application is for a new pawnshop license, provide the straight-line distance from the proposed location to the nearest operating pawnshop. (*Be exact*)

The undersigned affirms that all answers made in the application for license, disclosure of owners and principal parties, application questionnaire and disclosure questions, and in all supporting schedules and exhibits are true, correct, and complete and are made for the purpose of securing the license(s) indicated here. The applicant is of good moral character, good business repute, and possesses the character and general fitness necessary to warrant belief that the applicant will operate the business lawfully and fairly within the provisions of the Texas Finance Code. FALSE OR MATERIALLY INCOMPLETE ANSWERS ARE GROUNDS FOR DENIAL.



Appointment of Statutory Agent and Consent to Service

The address provided for the statutory (registered) agency MUST be an address within the state of Texas. If the statutory (registered) agent is a natural person, the physical address provided for that individual must be different than that of the licensed location.

Entity Name or Name of Owner/Sole Proprietor

Operating Name (d/b/a)

The undersigned, being an applicant for or a holder of a:

Regulated Loan License under the provisions of TEX. FIN. CODE Section 342.001, *et. seq.* Pawnshop License under the provisions of TEX. FIN. CODE Section 371.001, *et. seq.* Property Tax Loan License under the provisions of TEX. FIN. CODE Section 351.001, *et. seq.* Motor Vehicle Sales Finance License under the provisions of TEX. FIN. CODE Section 348.001, *et. seq.* Credit Access Business License under the provisions of TEX. FIN. Code Section 393.001, *et. seq.* Commercial Motor Vehicle License under the provisions of TEX. FIN. Code Section 353.001, *et. seq.* Debt Management Registration under the provisions of TEX. FIN. Code Section 394.001, *et. seq.*

does hereby appoint the following agent upon whom may be served all judicial and other process or legal notice directed to this applicant.

Name of Agent

who is a resident of the State of Texas and the Count	y of	at	
		Texas	
Agent Address	City	State	ZipCode
Phone Number	FaxNumber		

In case of the agent's death, disqualification, legal disability, or removal from the state, service of all judicial and other process of legal notice may be made upon the Consumer Credit Commissioner, State of Texas.

Signature of Owner, Officer, or Director

Printed Name

Title

Date





Statement of Experience

Information provided below should relate to the applicant's prior experience in the operation of a business or conducting transactions related to the regulated industry for which a license is being sought.

If the applicant or its principal parties have no significant experience in the operation of a business or conducting transactions related to the regulated industry for which a license is being sought, the applicant must provide a written statement explaining applicant's:

- relevant business experience or education,
- opinion as to why the commissioner should find that the applicant has the requisite experience, and
- plans on how the applicant will obtain the necessary knowledge to conduct business transactions lawfully and fairly.

EntityNameorNameofOwner/SoleProprietor

Operating Name (d/b/a)



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Financial Statement

Entity Name or Name of Owner/Sole Proprietor (as identified in License Application)

Individual's Name

Financial condition as of:

Financial condition cannot be dated any earlier than

90 days preceding the application date for Credit Access Businesses, or

60 days preceding the application date for all other regulated industries

Partners' statements must all reflect the same date.

Complete and attach Schedules 1 - 6 to this form (with the exception of Motor Vehicle Sales Finance Appplicants)

Attach a separate statement if space is insufficient for full disclosure.

ASSETS		LIABILITIES & NET WORTH		
BUSINESS ASSETS		LIABILITIES		
Cash in Banks & Other Depositories (Sch 1)		Loans Payable to Fin. Institutions-Secured (Sch 6)		
Cash on Hand		Loans Payable to Fin. Institutions-Unsecured (Sch 6)		
Pawn Loans Receivable (Excl Fin. Chgs) (Sch 2)		Line of Credit - Drawn (Sch 6)		
Other Loans & Accounts Receivable Less Reserve for Bad Debts (Sch 2)		Loans Payable to Relatives (Sch 6)		
Stocks & Bonds (Sch 4)		Loans Payable to Others (Sch 6)		
Real Estate (Sch 5)		Retail Accounts Payable - Personal		
Automobiles & Trucks No. of Vehicles		Accounts Payable - Business		
Other Assets (Describe Fully)		Mortgage Loans Payable, Homestead (Schs 5 & 6)		
Total Business Assets (See Note 1)		Mortgage Loans Payable, Other (Schs 5 & 6)		
PERSONAL ASSETS (Sole Proprietors & Partners Only)		Unpaid Income Taxes		
Cash in Banks & Other Depositories (Sch 1)		Other Unpaid Taxes - Business		
Cash Value Life Insurance, Net (Sch 3)		Other Unpaid Taxes - Personal		
Stocks & Bonds (Sch 4)		Unearned Charges on Receivables		
Automobiles & Trucks, Exempt No. of Vehicles		Provision for Fed Income Tax on Unrealized Gain on Appreciated Property		
Household Goods/Other Exempt Personal Property		Other Liabilities (Describe Fully)		
Other Assets (Describe Fully)		TOTAL LIABILITIES		
Total Personal Assets (See Note 2)		NET WORTH (Assets minus Liabilities)		
Note 1: Business assets must be reported at the low		TOTAL LIABILITIES AND NET WORTH		
current market value. If pawnshop inventory is essential to your meeting the net asset requirement, you must attach a list of those items.		CONTINGENT LIABILITIES As Endorser or Co-Maker		
Note 2: If you have listed any appreciated assets a		On Leases or Contracts		
value (e.g. stocks & bonds), you must report a Provisio	on for Federal Income	Legal Claims		
Taxes on the unrealized gain on those assets.		Other Special Debt		

The undersigned affirms that information in the Personal Financial Statement and Supporting Financial information (Schedules 1 - 6) has been carefully reviewed and is true, correct, complete and in accordance with GAAP (General Accepted Accounting Principles) standards. FALSE OR MATERIALLY INCOMPLETE ANSWERS ARE GROUNDS FOR DENIAL.

Signature

Date



TEXAS OFFICE OF CONSUMER

CREDIT COMMISSIONER

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Supporting Financial Information

Schedules 1 - 3

To be submitted with "Financial Statement (ADM17)"

If additional space is needed, attach a document identifying all required information noted below.

First Name

Middle Name (Full)

Last Name

Print Form

As of Date: Must match "As of" date on ADM17 Entity Name or Name of Owner/Sole Proprietor (asidentifiedin Application for LIcense)

Sched. 1: Cash on Deposit

Exact Name & Mailing Address of Bankor Other Depository	Account Name Account No.	Account Type	Amount	Any Restrictions on Withdrawal

Sched. 2: Accounts, Loans, & Notes Receivable

Description	Principal Amount	Security	Term	Acquisition Date	Rate of Fin. Charge	Delinquency Rate
] [



Sched. 3: Life Insurance

Name of Insured		Policy Type
Name of Beneficiary		Face Amount
Name of Insurance Co.		Cash Surrender Value
No. of Loans Against This Policy	Amt of Yearly Premium	Policy Assigned? Yes
Name of Insured		Policy Type
Name of Beneficiary		Face Amount
Name of Insurance Co.		Cash Surrender Value
No. of Loans Against This Policy	Amt of Yearly Premium	Policy Assigned? Yes
Name of Insured		Policy Type
Name of Beneficiary		Face Amount
Name of Insurance Co.		Cash Surrender Value
No. of Loans Against This Policy	Amt of Yearly Premium	Policy Assigned? Yes
Name of Insured		Policy Type
Name of Beneficiary		Face Amount
Name of Insurance Co.		Cash Surrender Value
No. of Loans Against This Policy	Amt of Yearly Premium	Policy Assigned? Yes
Name of Insured		Policy Type
Name of Beneficiary		Face Amount
Name of Insurance Co.		Cash Surrender Value
No. of Loans Against This Policy	Amt of Yearly Premium	Policy Assigned? Yes
		orm and certain third-party sources. With few exceptions, you out the information we collect or to make an open records

request, contact our Public Information Officer at 512-936-7622 or public.information@occc.texas.gov.



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Supporting Financial Information

Schedules 4 - 6

To be submitted with "Financial Statement (ADM17)"

If additional space is needed, attach a document identifying all required information noted below.

First Name

Middle Name (Full)

Last Name

Print Form

Asof Date: Must match "As of" date on ADM17 Entity Name or Name of Owner/Sole Proprietor (asidentified in Application for LIcense)

Sched. 4: Stocks and Bonds

Description; Name of Corp; No of Shares; and Nature of Business	Location	Par Value	Orginal Cost (Total)	Total Value at Current Market	Publicly Traded (Y/N)	Date Last Dividend or Interest

Sched. 5: Real Estate

Description and Location	Nature of Improvement	Original Cost	Valuation Current Market	Appraisal District Valuation	Lien (Y/N)	Name on Title



Sched. 6: Loans Payable, Mortgages, and Other Debts

Exact Name and Mailing Address of Creditor	Description of Collateral	Original Principal	Payment Frequency	Payment Amount	Balance Due



Business Operation Plan Regulated Lenders

EntityNameorNameofOwner/SoleProprietor

Operating Name (d/b/a)

The applicant must attach a brief narrative to the application explaining

- the source of customers,
- the purpose of the loans,
- the size of the loans,
- the source of working capital for planned operations
- whether the applicant will only be arranging or negotiating loans for another lender or financing entity, and
- if the applicant will only be arranging or negotiating loans for another lender or financing entity, the applicant must also provide:
 - a list of the lenders for whom the applicant will be arranging or negotiating loans,
 - whether the loans will be collected at the location where the loans are made, and
 - if the loans will not be collected at the location where the loans are made, the identification of the person or firm that will be serviced, and a detailed description of the process to be utilized in collections.



CREDIT COMMISSIONER

2601 N LAMAR BLVD AUSTIN, TX 78705 PHONE: 512.936.7605 FAX: 512.936.7610 LICENSING@OCCC.TEXAS.GOV

Personal Affidavit

Each principal party as identified in the "Application for License" or "Disclosure of Principal Parties (ADM 11)" must complete and file this form in its entirety. If space is insufficient for any answer, attach a document containing a complete answer.

First Name		Middle Name (full)	Last Name	
Other names used (alia	as):			
Mailing Address				
City:		State:	Zip Code:	
Email address:		Phone Number: ()		
		Current Marital Status:	Married	Separated
SSN	Date of Birth	Sex	: 🗆 Male	🗆 Female

Licensee or Applicant Name:

The undersigned affirms that all answers on the personal affidavit, employment history, personal questionnaire and in any accompany statement of facts are true and complete.

Signature	of	Indiv	vidual
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Typed/Printed Full Name of Individual

WARNING: The TEX. PENAL CODE, Sec. 37.10 provides that providing false information to a governmental agency may be a thirddegree felony offense punishable by not more than ten (10) years in prison or nor more than one (1) year in a community correctional facility. In addition to imprisonment, a fine of up to \$10,000 may also be imposed.

The Office of Consumer Credit Commissioner obtains information from this form and certain third-party sources. With few exceptions, you may review and correct the information we collect. To find out more about the information we collect or to make an open records request, contact our Public Information Officer at 512-936-7639 or public.information@occc.state.tx.us.

Procedures for obtaining a copy of FBI criminal history record are set forth in Title 26, Code of Federal Regulations (CFR), Section 16.30 through 16.33, or go to the FBI website at http://www.fbi.gov/about-us/cjis/background-checks.



Personal Employment History

Middle Name (Full)

LastName

Provide a **continous** record of business association for the last ten (10) years, beginning with the present date. **Note:** Account for all time spent as a student, unemployed, retired, etc. A resume may be submitted in lieu of this form.

Da	ates Emplo	oyed	Company Name and Address	Position and Duties
	Month	Year		
From _				
То	Present			
Da	ates Emplo	oyed	Company Name and Address	Position and Duties
	Month	Year		
From _				
То				
	ates Emplo		Company Name and Address	Position and Duties
	Month	Year		
From _				
Dates Employed			Company Name and Address	Position and Duties
	Month	Year		
From _				
Dates Employed			Company Name and Address	Position and Duties
	Month	Year		
From				
Dates Employed			Company Name and Address	Position and Duties
	Month	Year		
From				
То				

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First Name



CREDIT COMMISSIONER

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Personal Questionnaire

First Name	Middle Name (Full)	LastName		
FALSE OR MATER	RIALLY INCOMPLETE ANSWERS ARE GROUNDS FOR DENIAL			
	tions applicable to the business to be licensed? tatement explaining why you gave this answer and how you	Yes	No	
IF YOU ANSWER "YES" TO ANY OF THE BELO	W QUESTIONS, ATTACH A FULL STATEMENT OF THE FACTS REQUI	RING THE "YES"	ANSWER	
2. The next three (3) questions seek information related to both <u>misdemeanors and felonies</u> . If you answer "Yes" to any of the below, you must provide a full statement of facts regarding the incident - even if a lawyer, judge, or other person told you that there would be no record of your arrest - unless you have a legal document on which a judge ordered information about you to be removed from police files and court files (expungement). (ATTACH YOUR STATEMENT AND COPIES OF RECORDS SHOWING DISPOSITION OF ANY				
ARRESTS).		Yes	No	
a. Have you ever been arrested?				
	ted, OR convicted regarding a violation of any law?			
c. Do you have any outstanding warra				
	bawnshop, loan, or finance business other than listed on your	r 🗆		
4. Have you ever had any affiliation with:				
	e, withdrew application to avoid refusal, or had its license or voked? If "Yes", attach copies of final actions.	r 🗆		
b. any organization that was the subj copies of final actions.	ect of bankruptcy, insolvency, or receivership? If "Yes", attack	1		
5. Have you:				
	pational licenses within the last ten (10) years? tment of Motor Vehicles: GDN or Franchise			
b. ever had any type of professiona cancelled or revoked?	al or occupational license denied, disapproved, suspended,			
6. Have you ever been a defendant in a civil co personal injury?	ourt action or administrative proceeding other than divorce or	r 🗌		
7. Have you ever made a compromise with cre	ditors, taken bankruptcy, or pled the statute of limitations?			
8. Are there any unpaid judgments outstandin	g against you?			
The Office of Consumer Credit Commissioner of	otains information from this form and certain third-party source	ces. With few e	ceptions, you	

may review and correct the information we collect. To find out more about the information we collect or to make an open records request, contact our Public Information Officer at 512-936-7622 or public.information@occc.state.tx.us.

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2601 N Lamar Blvd

Regulated Lender Application and License Fees

Enter the appropriate information below to calculate fees and assessments due. Payment may be made by check or money order. Cash payments will not be accepted.

Pay by Check or Money Order

Make Check or Money Order Payable to: Office of Consumer Credit Commissioner

Mail completed materials and application to: Office of Consumer Credit Commissioner 2601 N Lamar Blvd Austin, TX 78705-4207

Fees for New License Applications

NO FEES OR ASSESSMENTS ARE DUE IF CANCELING OR SURRENDING A LICENSE.

	se Applications		
Investigation Fee Assessment Fee: Each Active License Assessment Fee: Each Inactive Licen		= =	For each new license application, you must enter '1' in the quantity field for this line item.
	Total Amount Due		
Fees for License	e Transfers \$200 X	=	For each license transfer application, you must enter '1' in the quantity field for this line item.
	Grand Total Due		