



STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS

DIVISION OF CONSUMER SERVICES

P.O. Box 41200 • Olympia, Washington 98504-1200

Telephone (360) 902-8703 • TDD (360) 664-8126 • FAX (360) 664-2258 • <http://www.dfi.wa.gov/cs>

Thank you for your interest in the Consumer Loan Industry in Washington:

We are pleased to provide you with the accompanying consumer loan license application form materials. Please read the instructions carefully. Incomplete, improper or erroneous answers to requested information may cause delays in processing, and can ultimately result in a license application being denied or an issued license being revoked.

You must provide all of the attachments and requested information. If an attachment, addendum or requested information does not apply to your situation, clearly identify that it does not apply and why.

Applicants and licensees are expected to be knowledgeable of and fully compliant at all times with chapter 31.04 RCW, chapter 208-620 WAC and any other applicable state or federal statutes and regulations. Pursuant to RCW 31.04.055 License--Director's duties:

“(1) The director shall issue and deliver a license to the applicant to make loans in accordance with this chapter at the location specified in the application if, after investigation, the director finds that the applicant has paid all required fees, has complied with RCW 31.04.045, and that the financial responsibility, experience, character, and general fitness of the applicant are such as to command the confidence of the community and to warrant a belief that the business will be operated honestly, fairly, and efficiently within the purposes of this chapter.

(2) If the director does not find the conditions of subsection (1) of this section have been met, the director shall not issue the license. The director shall notify the applicant of the denial and return to the applicant the bond posted and the sum paid by the applicant as a license fee, retaining the investigation fee to cover the costs of investigating the application. The director shall approve or deny every application for license under this chapter within sixty days from the filing of a complete application with the fees and the approved bond.”

The Department may consider many different factors in determining your financial responsibility, experience, character, and general fitness. These factors may include: 1) a review of complaint history, 2) owner, officer or employee involvement with other business enterprises, 3) responses from other regulatory agencies, or 4) follow up of any information that gives the Department cause for concern that the business will be operated honestly, fairly and efficiently. **All applicants should note that an application may be deemed as incomplete until the Department has obtained all information relevant to making a finding under RCW 31.04.055.**

Please don't hesitate to contact us for assistance after you've read the instructions. You may reach us via phone or e-mail, or request an appointment for a pre-filing conference in our offices in Olympia, Washington.

Thank you,

The License Review Staff

WASHINGTON CONSUMER LOAN LICENSE APPLICATION

READ INSTRUCTIONS BEFORE BEGINNING!

Note: The instructions and information contained herein are an integral part of the application. Please read them carefully, and follow the directions explicitly. Failure to follow the instructions completely may result in a delay in the processing and issuance of a license, a rejection or denial of the application, or revocation of an issued license. We suggest that you make a blank copy of all forms in the application package before you begin. Please print or type all information in dark ink.

ADDRESS AND ASSISTANCE

Please note that application packages are considered incomplete without **all** attachments and requested information. If you have any questions or require assistance in completing the enclosed application packet, **or if you need to request these forms in an alternate format (such as Braille, larger print, etc.)**, please contact our offices by telephone at (360) 902-8703, TDD (360)664-8126, or via facsimile at (360) 664-2258. You may also visit our website at www.dfi.wa.gov. Please mail your completed application package, together with all attachments, and a check for the appropriate deposit payable to the "Washington State Treasurer" to:

	Department of Financial Institutions		
	Division of Consumer Services		
mailing	Post Office Box 41200	physical	150 Israel Rd SW
	Olympia, Washington 98504-1200		Tumwater, Washington 98501

BRANCH ONLY APPLICATIONS

If this application is to add another licensed location under a main office, which is already licensed, you may submit the following addenda and forms. A letter of authorization to copy other documentation from the main file to the branch file may be included if you are confident that such documentation is already on file with the Department.

1. Company Information Form - pages 1 through 4
2. Addenda: 1, 2, 3, 4, 8, 9, and 14
3. A branch application deposit made payable to "Washington State Treasurer"
4. Rider to surety bond increasing the penal sum of the bond and itemizing this added location

STATUTES, RULES, OPINIONS AND POLICY

The applicant, and each responsible individual of the applicant, are expected to be well versed and compliant with all sections of the Consumer Loan Act, and the rules and opinions thereof. RCW 31.04, the Act, and WAC 208-620, the rules, are available linked online from <http://www.dfi.wa.gov/cs/loan.htm>.

Opinions considered to be of import to the majority of consumer loan companies, or those policies expected to be of general knowledge by the industry, will be forwarded to you as issued. You may fax requests for copies of opinions or policy statements to the Division of Consumer Services at (360)664-2258. For a fee, you may request an opinion or clarification of an issue by writing the Division.

Your application package will be reviewed in conjunction with complaint history and/or any other information the Division deems relevant in making a finding as to financial responsibility, experience, character, and general fitness.

CONSUMER LOAN COMPANY INFORMATION FORM

Company New to Washington

Branch of Company Previously Licensed in WA

LICENSE LOCATION:

COMPANY NAME _____
TRADE NAME (IF ANY) _____

PHYSICAL ADDRESS _____
CITY/COUNTY _____
STATE/ZIP _____

MAILING ADDRESS _____
CITY/COUNTY _____
STATE/ZIP _____

TELEPHONE NUMBER () _____ FAX () _____
TOLL FREE NUMBER () _____ E-MAIL _____

BUSINESS ACTIVITIES CONDUCTED AT THIS LOCATION (check all that apply):

ORIGINATION UNDERWRITING PROCESSING SOLICITATION RECORDS LOCATION

TYPE OF LENDING OFFERED AT THIS LOCATION (check all that apply):

REAL ESTATE LOANS PERSONAL PROPERTY LOANS UNSECURED LOANS

BUSINESS STRUCTURE (check one):

CORPORATION PROPRIETORSHIP PARTNERSHIP LLC OTHER _____

FEDERAL TAX IDENTIFICATION NUMBER: _____

WASHINGTON STATE UNIFIED BUSINESS ID NUMBER: _____

AUTHORIZATION FOR VERIFICATION - COMPANY

TO WHOM IT MAY CONCERN

I, the undersigned official, of the company noted above, hereby authorize and request you to provide the Department of Financial Institutions of the State of Washington, any and all information and documentation that they request for the purpose of verifying information provided in conjunction with an application for a consumer loan company license, or for the purpose of conducting an investigation in accordance with chapter 31.04 Revised Code of Washington.

BY: _____
Signature of Authorized Official

Date

Printed name of Authorized Official

Title

CONSUMER LOAN COMPANY INFORMATION FORM (CONTINUED)

Each addendum should be a separate page, clearly marked, and submitted in the order listed. Application will be deemed incomplete without this information. Either a check mark or “N/A” for “not applicable” should be placed next to each item on this form. A check mark indicates that the item is attached.

 ADDENDUM 1 – APPLICATION CONTACT

Provide the name, title, address, phone number, fax number, and e-mail address of the contact individual for this application.

 ADDENDUM 2 – SURETY INSTRUMENT

Provide a surety bond (or acceptable alternative) in the appropriate amount.

- If your company intends to make loans secured by real property, the minimum bond is \$400,000.00.
- If your company does not intend to make real estate loans, the minimum bond amount is one hundred thousand dollars for each licensed location up to five locations. After the fifth location the bond is then increased in the amount of ten thousand dollars for each location added.

Number of Locations	Real Estate Loans	Personal Property Loans Only
1	\$400,000.00	\$100,000.00
2	\$500,000.00	\$200,000.00
3	\$600,000.00	\$300,000.00
4	\$700,000.00	\$400,000.00
5	\$800,000.00	\$500,000.00
6	\$810,000.00	\$510,000.00

Add \$10,000.00 for each additional location over 6.

1. Those applicants submitting a bond must use the enclosed bond form. Only bonds issued by a surety company authorized to do a surety business in this state will be accepted. The address on the bond must be the physical location of the applicant's place of business (first location licensed by Washington). If the applicant has more than one location, a rider must be attached to the bond, adding each additional address. Both the applicant representative and the surety representative must sign the bond, and attach a valid power of attorney form. Note: the information provided on the face of the bond must be accurate or the bond will be rejected as invalid. **The original, signed and sealed bond must be submitted with the application.**
2. In lieu of a surety bond, **Washington corporations** may maintain a bond substitute. “Bond substitute” is defined in WAC 208-620-010 as capital, surplus and qualified long term subordinated debt. An applicant considering the bond substitute is encouraged to thoroughly review RCW 31.04.045(3) and WAC 208-620-040 to assure their understanding of the requirements and restrictions the use of a bond substitute places on them.
3. If this application is for a new **branch** location, please attach a rider, issued by the bonding company, listing the additional location and increasing the penal sum of the bond. NOTE: A separate bond will not be accepted for each branch location; only a **rider** to the original bond increasing the penal sum and itemizing this added location.

 ADDENDUM 3 – AUTHORIZED SIGNATURES

Provide a copy of the corporate resolution, which authorizes the official(s) listed therein to sign on behalf of the applicant.

NOTE: Individuals who have signed the Signature and Oath of Applicant form and the Authorization for Verification – Company form must be listed in the corporate resolution.

 ADDENDUM 4 – RECORDS LOCATION

Advise the location where records will be kept for the purpose of periodic review and examination by the Department of Financial Institutions. If the records will be kept at a **licensed location** outside the State of Washington, complete the enclosed “Approval to Maintain Records Out of State” form.

CONSUMER LOAN COMPANY INFORMATION FORM (CONTINUED)

ADDENDUM 5 – REGISTERED AGENT

Please provide the name, address, phone number, social security number, and date of birth of the individual named as registered agent. (DFI will send a specific Consent to Serve letter to the registered agent.)

1. If your office is outside the borders of Washington State, you *must* maintain a registered agent inside Washington.
2. If your office is within the borders of Washington State, the use of a registered agent is *optional* (your office staff may serve as registered agent). If your company has used a registered agent when filing with other Washington state agencies, please provide this office with information about *that* registered agent.
3. If applicant is a corporation, LLC, or partnership, also provide the following information:
 - a. State of Incorporation (or other filing)
 - b. Date of qualification to do business in the State of Washington

ADDENDUM 6 – OWNERSHIP

Provide information on all business relationships. This addendum should include:

1. The names, home address & phone, business address & phone, and titles of owners, directors, and senior (vice president and above) officers of this company.
2. A statement of the experience and qualifications of the owners, directors, and senior officers named in number 1.
3. The parent companies, affiliates, and subsidiaries of the applicant. Include company names, addresses, telephone numbers and contacts. Provide a brief description (or organizational flow chart) of each relationship.

ADDENDUM 7 – REFERENCES FROM OTHER STATES

If the applicant is or has ever been licensed to engage in the business of lending or brokering in any other state, follow these instructions:

1. Provide a list of all states in which you are or were licensed. This list should include name of licensee; type of license; name, address, phone, fax, and contact person of the regulatory entity issuing the license.
2. Distribute the enclosed Reference Form:
 - a) Type your company name, license type (from that state), and license number on the appropriate lines.
 - b) Send the form to the regulatory entity in each state in which you are (or were) licensed to conduct the business of consumer lending or brokering.
 - c) Provide each state with a pre-stamped envelope addressed to:
DFI, Division of Consumer Services, PO Box 41200, Olympia, WA 98504-1200

ADDENDUM 8 – DISCIPLINARY HISTORY

1. Is there presently or has there ever been any regulatory enforcement action (including the suspension of license) against the applicant in any state? If the answer to this question is “yes” please list all regulatory actions taken against applicant and provide a detailed explanation for each.
2. Are you aware of any regulatory or complaint investigations in any state (including Washington) for which findings have yet to be entered? If the answer to this question is “yes” please provide a detailed explanation.
3. Please provide a list of the number of complaints by state and year that have been filed against the applicant in the last five years.

ADDENDUM 9 -- FINANCIALS

Provide a current financial statement as of the most recent quarter end. Include a statement of assets and liabilities, and profit and loss statement, prepared in accordance with “generally accepted accounting principals.”

If a newly formed business, provide the method and source of capitalization. This is to be attached as **ADDENDUM 9-1** and made a part of this application.

CONSUMER LOAN COMPANY INFORMATION FORM (CONTINUED)

ADDENDUM 10 – BUSINESS PLAN/COMPLAINT RESOLUTION

Provide a business plan of the applicant, which includes as a minimum the following:

1. The anticipated source and method of obtaining customers.
2. The type of loans to be made at this licensed location.
3. Which type of loans, if any, will be sold or transferred to another (affiliated or non-affiliated) business.
4. The type of credit insurance products, if any, the applicant intends to market at this location.
5. The type of incidental products, if any, the applicant intends to market, **with approval of the Director**, from this location.
6. Specific procedures for complaint resolution. Please include applicant’s toll free (“800”) phone number.

ADDENDUM 11 – ASSESSMENT TRACKING

Advise method for tracking Washington loans separately from loans made in other states. **NOTE: All loans originated and or portfolioed under the Consumer Loan Act must be reported for annual assessment purposes, whether the loan remains on the balance sheet or is sold. If loans are sold, the assessment will be based on total origination for the reporting period.**

ADDENDUM 12 – MASTER BUSINESS LICENSE

Please contact the Washington State Department of Licensing, Business and Professions Division (360)902-3600, to apply for the applicant’s Washington State Master Business License. A copy of this document is **not** required with your application. DFI will verify with the Department of Licensing that the applicant has registered.

ADDENDUM 13 – CERTIFICATE OF EXISTENCE/AUTHORIZATION

If a corporation, partnership, or LLC; please contact the Washington Secretary of State, Division of Corporations, (360)753-7115, to register your company. A copy of this document is **not** required with this application. DFI will verify with the Secretary of State that the applicant has been registered.

ADDENDUM 14 – APPLICATION DEPOSIT

Attach (to the front of the application package) a check payable to "Washington State Treasurer". This amount includes the \$106.71 license fee authorized by WAC 208-620-190(1)(b) plus the \$95.55 per hour fee authorized by WAC 208-620-190(1)(a). This deposit will be applied towards statutory cost of application review and investigation. If actual cost of the investigation exceeds the amount paid, DFI will issue an invoice in accordance with RCW 31.04.045(2).

First (“main office” est. 10 hrs) Location: \$1062.21 Each Additional (“branch” est. 5 hrs.) Location: \$584.46

SIGNATURE AND OATH OF APPLICANT

I hereby swear and affirm that the information contained herein and attachments hereto are true and correct to the best of my knowledge. Further, the provisions of Revised Code of Washington 31.04 and Regulations promulgated by the Department of Financial Institutions in furtherance of such Code and provisions contained in Washington Administrative Code have been reviewed by the authorized officials as listed herein, and management will be made aware of such laws and regulations and changes enacted hereafter. This application is submitted in furtherance of the applicant’s desire to obtain from the Director of the Washington Department of Financial Institutions, a license to engage in the business of a consumer loan company, as defined in chapter 31.04 RCW. Any false statement or omission of material information in connection with this application shall be punished as provided by law and may subject the applicant to denial of a license or the revocation of any license granted.

BY: _____ Date _____
Signature of Authorized Official

_____ Title _____
Printed name of Authorized Official

SURETY BOND TO OPERATE
CONSUMER LOAN BUSINESS

KNOW ALL PERSONS BY THESE PRESENTS, That _____

(if a partnership, give full name and address of each partner and add the words trading under the firm name and style _____," or if a corporation, insert full title and add the words "a corporation of the State of _____".) with place of business at _____, City of _____ County of _____, in the State of _____, as principal, and _____, a corporation, authorized to transact surety business in the State of Washington, as surety, are held and firmly bound unto the State of Washington in the full penal sum of _____ (\$_____.) lawful money of the United States, for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally firmly by these presents.

THE CONDITIONS of the above obligation are such that: Whereas, the above bounden principal has applied for a license to transact the business of making loans as provided by law under Title 31.04 Revised Code of Washington, known as the "CONSUMER LOAN ACT" of the State of Washington, and acts amendatory thereto.

Now, Therefore, If the said above bounden principal, shall, upon the issuance of said license as aforesaid, faithfully conform to and abide by each and every provision of said Act and all the rules and regulations lawfully made by the Director of the Department of Financial Institutions of the State of Washington thereunder, and will pay to the state and to any person or persons from said obligors under and by virtue of the provisions of said ACT, then this obligation to be void: otherwise to remain in full force and effect.

Provided, That the total liability hereunder arising during the period for which this bond is written shall not exceed the total sum of _____(\$_____). This bond is effective until canceled by the surety. This bond may be canceled by giving written notice to the Director. The cancellation shall be effective 45 days from the receipt of said notice. If the bond is renewed, continued, reinstated, reissued or otherwise extended, it shall nevertheless be considered a continuous obligation and the surety upon the bond shall not be liable in an aggregate or cumulative amount exceeding the penal sum set forth on the face of the bond. In no event shall the penal sum, or any portion thereof, at two or more points in time be added together in determining the surety's liability for any or all claims.

In Witness Whereof, The said principal has hereunto set his hand and seal and the said surety has caused these presents to be signed by its duly authorized officers and its corporate seal to be hereto affixed on this _____ day of _____, 20____. Bond Number _____.

(Surety Corporate Seal)

(Company Name)

By _____

By _____

(Surety)

By _____



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CONSUMER LOAN COMPANY REQUEST FOR APPROVAL TO MAINTAIN RECORDS AT AN OUT OF STATE LOCATION

Company Name: _____
corporate name *trade name or dba*

Licensed Location: _____
physical address *city, state, zip*

In accordance with WAC 208-620-050(2), the above named applicant for Consumer Loan license does hereby request approval from the Director of the Department of Financial Institutions to maintain records at the following location:

Records Location: _____
physical address *city, state, zip*

Records Custodian: _____
custodian's full name *e-mail*

custodian's phone number *fax number*

The applicant will notify the Director of any change in the location of records immediately. The applicant agrees to provide the Director with access to the records pursuant to RCW 31.04.145 and WAC 208-620-050. The applicant agrees to pay all costs associated the examining the records, including travel costs (e.g. airfare, accommodations, rental car, etc.)

By: _____ Date: _____
signature of applicant's authorized representative

printed name and title of authorized representative

authorized representative's business mailing address, city, state, zip

Issuance of a Consumer Loan license to the above licensed location will constitute the Director's approval of this request. Failure to comply with this agreement may be grounds for revocation in accordance with RCW 31.04.093.



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STATE REFERENCE FORM

Applicant/Licensee name: _____

Your State's License Type: _____ **License #:** _____

Dear fellow regulators: The above mentioned company has applied to this office for a license under the Washington State Consumer Loan Act, Chapter RCW 31.04. Please complete the questions below and return this form (via fax or mail) to Washington as soon as possible so we may continue to process this license application.

Agency completing this form: _____

Address: _____

Contact person: _____ **Phone number:** _____

Does your state have a website that would give us this information on line? _____

1. Provide the name, date of issue, and the type of license issued to the applicant or entity?
2. Have you received consumer complaints or found it necessary to consider enforcement action?
3. If a license was issued to the above company by your agency, did you conduct an investigation prior to issuance to determine moral character, financial responsibility and general fitness of the applicant?
4. Additional Comments:

If you need more space, please attach an additional page.