



STATE OF NEW MEXICO
REGULATION AND LICENSING DEPARTMENT FINANCIAL
INSTITUTIONS DIVISION

2550 Cerrillos Road, 3rd Floor, Santa Fe, NM 87505

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www.rld.state.nm.us/financialinstitutions

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APPLICATION FOR ESCROW COMPANY BRANCH LICENSE

GENERAL INSTRUCTIONS

1. Use this form if you are applying for an escrow company branch license. **If you currently maintain an escrow company branch license, do not use this form.** Instead, complete the Renewal Application for Escrow License, available on the financial institutions division website listed above.
2. The enclosed application must be completed in its entirety. Applications containing incomplete responses, or lacking fees or exhibits will be returned to the applicant. Please complete the checklist on the last page of this packet to ensure that your application is complete.
3. If the space provided for answers is inadequate, additional pages should be attached; however, **attachments must identify the following information in the top right corner of every page: applicant name, license number, and the specific item on the application to which the answer relates.**
4. **All exhibits must include the following information in the top corner of every page: applicant name, license number, and exhibit letter.**
5. The fee for an escrow company branch license is two hundred dollars (\$200.00). A renewal fee of two hundred dollars (\$200.000) is required each renewal year. The only acceptable methods of payment are checks or money orders made payable to the Financial Institutions Division.
6. All escrow company branch licenses will expire at the close of business on June 30th of each year, unless renewed for the upcoming year.
7. Upon the department's receipt of a complete application, an investigation will be made into the financial responsibility, character, and general fitness of the applicant.
8. The application, fee and all exhibits must be mailed to: The Financial Institutions Division, PO Box 25101/2550 Cerrillos Road, 3rd Floor, Santa Fe, NM 87505, no later than May 31, 2015.

II. COMPANY AND BRANCH INFORMATION

Question 10: Within the past year, if there has been any change in the **company manager**, owners, partners, members, directors, or officers of the applicant, please complete the information in the table below. Beside each name, under the column titled "Type of Change," place an "A" if the individual has been added to the company structure, place a "D" if the individual has departed the company structure or place a "C" if the residence address for the individual has changed.

NAME	RESIDENCE ADDRESS	TITLE	OWNERSHIP PERCENTAGE	TYPE OF CHANGE

COMPANY AND BRANCH EXHIBITS

EXHIBIT A: COMPANY RESUMES

- Attach the resumes for any company managers, owners, partners, members, directors or officers listed in question 10 who have been hired within the past year.

EXHIBIT B: BRANCH RESUMES

- Attach the resumes for any branch managers listed in question 11 who have been hired within the past year.

EXHIBIT C: PRINCIPAL OWNER FINANCIAL STATEMENT IF A SOLE PROPRIETOR

- Attach a financial statement for each of the principal owners prepared within 60 days of the date the renewal application is submitted that satisfies the following criteria:

PRINCIPAL OWNER FINANCIAL STATEMENT REQUIREMENTS

- Includes both a balance sheet and income statement;
- Signed and Dated within the last 60 days by the preparer;
- Prepared in accordance with generally accepted accounting practices;
- Sworn to by the principal owner.

EXHIBIT D: COMPANY FINANCIAL STATEMENT

- Attach a financial statement prepared within 60 days of the date the renewal applications is submitted, that meets the following criteria:

FINANCIAL STATEMENT REQUIREMENTS

- Includes both a balance sheet and income statement;
- Signed and dated within the last 60 days by the preparer and signed by an officer of the company;
- Prepared in accordance with generally accepted accounting practices;
- Sworn to by the applicant if the applicant is an individual, or by a partner, director, Manager, or trustee on its behalf if the applicant is a partnership, corporation or unincorporated association.

III. SURETY BOND

EXHIBIT **E**: SURETY BOND

- Attach company surety bond meeting the following requirements:
 - An escrow company shall obtain a surety bond in the minimum amount of one hundred thousand dollars (\$100,000) running to the people of the state of New Mexico;
 - The surety bond shall run concurrent with the licensing period;
 - Bond shall be executed and acknowledged by a corporation that is licensed by the superintendent of insurance to transact the business of fidelity and surety insurance.

IV. CIVIL DISCLOSURE

Within the past year, has the Applicant, or any escrow agent, escrow manager, owner or employee:

1. Been the subject of proceedings in bankruptcy, foreclosure, receivership, assignment for the benefit of creditors, or for debt and money due? Yes No

2. Been the subject of **consumer initiated litigation** or arbitration filed in New Mexico or in a 10th Circuit federal court in connection with a financial services-related business or **unfair trade practices violation**? Yes No

CIVIL DISCLOSURE EXHIBITS

EXHIBIT F: CIVIL LITIGATION

- If you answered **YES** to any of the above, please attach the following information:
 - A copy of the original filed complaint;
 - If the case is pending, a brief statement regarding the current status;
 - A copy of any publicly available court paperwork evidencing a final disposition of the case;

V. REGULATORY DISCLOSURE

Within the past year, has the Applicant, or any escrow agent, escrow manager, owner or employee:

1. Applied for any other type of business license with this Division? Yes No
2. Been refused any type of business license by a state or federal financial institutions regulating agency? Yes No
3. Been the subject of enforcement actions such as cease and desist orders, consent orders, injunctions, and license suspensions or revocations by **any state or federal regulatory agency**? Yes No

REGULATORY DISCLOSURE EXHIBITS

EXHIBIT G: BUSINESS LICENSING INFORMATION

- If you answered **YES** to question 1, please attach complete details of all applications submitted to this Division, including the following information:
 - The name of the business listed on the application;
 - The type of business license applied for;
 - A statement indicating whether the license was granted or denied;
 - If the license was granted, the license number;

EXHIBIT H: REGULATORY ENFORCEMENT ACTION HISTORY

- If you answered **YES** to question 2 or 3, please attach complete details of all events or proceedings, including the following information:
 - The name of the regulating agency that executed the enforcement action;
 - The contact information for the regulating agency that executed the enforcement action;
 - A copy of the enforcement action filed by the regulating agency;

VI. CRIMINAL DISCLOSURE

Within the past year. has the Applicant, or any escrow, escrow manager, owner, or employee:

1. Been convicted of a felony or any crime involving moral turpitude?

Yes No

CRIMINAL DISCLOSURE EXHIBITS

EXHIBIT **I**: CRIMINAL HISTORY

- If you answered YES to question 1, please attach complete details of all events or proceedings, including the following information:
 - A copy of the Court document evidencing final disposition of the case (Ex: Plea and Disposition Agreement)
 - The Defendant's name
 - The City, County and State in which the defendant was charged
 - Court case numbers
 - Defendant's employment title or positions within collection agency (ex: Director, Manager, etc.)

VII. APPLICATION CHECKLIST

Before submitting your application to the Financial Institutions Division, please ensure that the following items are included in your submission packet:

- All attachments include applicant name, license number, and question number in the top right corner of each page.
- All exhibits include the applicant name, license number, and the exhibit letter in the top right corner of each page.

MANDATORY APPLICATION ITEMS:

- ATTACHED **EXHIBIT C**: PRINCIPAL OWNER FINANCIAL STATEMENT
 - Includes both a balance sheet and income statement;
 - Signed and Dated within the last 60 days by the preparer and signed by an officer of the company
 - Prepared in accordance with generally accepted accounting practices;
 - Sworn to by the applicant if he application is an individual, or by a partner director,

manager or trustee in its behalf if the applicant is a partnership, corporation or unincorporated association.

- ATTACHED **EXHIBIT D**: COMPANY FINANCIAL STATEMENT
 - Includes both a balance sheet and income statement;
 - Signed and Dated within the last 60 days by the preparer and signed by an officer of the company
 - Prepared in accordance with generally accepted accounting practices;
 - Sworn to by the applicant if the application is an individual, or by a partner director, Manager, or trustee in its behalf if the applicant is a partnership, corporation, or unincorporated association.
- ENCLOSED CHECK OR MONEY ORDER PAYABLE TO FINANCIAL INSTITUTIONS DIVISION FOR **RENEWAL FEE**
- ENCLOSED APPLICANT'S NOTARIZED OATH AND STATEMENT

MANDATORY EXHIBITS IF APPLICABLE:

- EXHIBIT **A**: COMPANY RESUMES
- EXHIBIT **B**: BRANCH RESUMES
- EXHIBIT **E**: SURETY BOND
- EXHIBIT **F**: CIVIL LITIGATION
- EXHIBIT **G**: BUSINESS LICENSING INFORMATION
- EXHIBIT **H**: REGULATORY ENFORCEMENT ACTION HISTORY
- EXHIBIT **I**: CRIMINAL HISTORY

VI. APPLICANT'S OATH AND STATEMENT

STATE OF _____)

COUNTY OF _____)

I, _____, the undersigned, being the _____
(printed name of authorized representative) *(Officer [title], partner or owner)*

of _____ understand that application is
(name of applicant company)

hereby made for a renewed escrow company license as provided for in Chapter 58-22-1 *et seq.*, New Mexico Statutes Annotated 1978, to engage in business at the location herein specified. I hereby certify and affirm that all information, statements, attachments, and exhibits submitted with this application are true and correct to the best of my knowledge and belief. I acknowledge that any misstatements contained herein may cause the Financial Institutions Division to deny the renewal application for license, or to initiate later proceedings against this license. I understand that a license, if granted, is a revocable privilege to be enjoyed and exercised only in accordance with all the terms and conditions of 58-22-1 NMSA 1978 *et seq.* and the accompanying lawful regulations promulgated by the Director.

if applicable)

(Authorized Signature)

EXECUTED THIS _____ day of _____, 20____.

SUBSCRIBED AND SWORN TO before me on this _____ day of _____, _____ by

_____ in _____, _____.
(name of person making statement) *(City)* *(State)*

(Notary seal)

(Notary Public)

My Commission Expires: _____