



STATE OF NEW MEXICO
REGULATION AND LICENSING DEPARTMENT
FINANCIAL INSTITUTIONS DIVISION
2550 Cerrillos Road ▪ P.O. Box 25101 ▪ Santa Fe, New Mexico 87505
Phone: (505) 476-4519 / (505) 476-4819 ▪ Fax: (505) 476-4670
www.rld.state.nm.us/financialinstitutions

Industry Manager: Joe Cruz joe.cruz@state.nm.us
Licensing Specialist: Michelle Medina michelle.medina@state.nm.us

APPLICATION FOR ESCROW COMPANY LICENSE

GENERAL INSTRUCTIONS

1. Use this form if you are applying for an original escrow company license. **If you are renewing your escrow company license or applying for a branch license, do not use this form.** Instead, complete the appropriate application 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 utilize 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 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 and exhibit letter.**
5. The initial fee for an escrow company license is **four hundred dollars (\$400.00)**. The fee for branch licenses is **two hundred dollars (\$200.00)** per location. The only acceptable methods of payment are checks or money orders made payable to the Financial Institutions Division.
6. All escrow company 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, application fee(s), all attachments and exhibits must be mailed to the address above.

PLEASE NOTE: FAILURE TO SUBMIT A COMPLETE APPLICATION AND APPLICATION FEE MAY RESULT IN DENIAL OF LICENSURE.

I. GENERAL APPLICANT INFORMATION

1	Principal Name of Applicant:	<i>(The person or legal entity applying for this license)</i>		
2	D/B/A or trade name if Applicable:	<i>("Doing Business As")(Fictitious Name)</i>		
3	Type of Business Organization:	<input type="checkbox"/> New Mexico Corporation	<input type="checkbox"/> Foreign Corporation	<input type="checkbox"/> Limited Liability Company (LLC)
		<input type="checkbox"/> Partnership	<input type="checkbox"/> Sole Proprietor	<input type="checkbox"/> Limited Liability Partnership (LLP)
4	Applicant Website:			
5	Name of Manager:			
6	Designated Contact Person to Respond to Licensing Questions:	<i>(Name of Contact Person)</i>		
		<i>(Email)- This field must be completed to receive official correspondence</i>		
		<i>(Mailing Address)</i>		
		<i>(City)</i>	<i>(State)</i>	<i>(Zip Code)</i>
		<i>(Phone Number)</i>	<i>(Fax Number)</i>	
7	Physical Address for the Applicant's Principal Office:	<i>(Mailing Address)</i>		
		<i>(City)</i>	<i>(State)</i>	<i>(Zip Code)</i>
		<i>(Phone Number)</i>	<i>(Fax Number)</i>	
8	Designated Contact Person to Respond to Consumer Complaints:	<i>(Name of Contact Person)</i>		
		<i>(Email)- This field must be completed to receive official correspondence</i>		
		<i>(Mailing Address)</i>		
		<i>(City)</i>	<i>(State)</i>	<i>(Zip)</i>
		<i>(Phone Number)</i>	<i>(Fax Number)</i>	

II. COMPANY AND BRANCH INFORMATION

Question 9: Please complete the information in the table below for all incorporators, directors, officers, members, partners, owners or managers of the escrow company.

NAME	RESIDENCE ADDRESS	TITLE	OWNERSHIP PERCENTAGE

Question 10: Will the applicant have any branch offices in New Mexico? Yes No

If **YES**, please complete the following table:

	LOCATION OF BRANCH	NAME OF MANAGER
1		
2		
3		
4		
5		

PLEASE NOTE: For each branch location listed above, you must submit a two hundred dollar (\$200.00) branch license fee in addition to the four hundred (\$400.00) principal office license fee.

COMPANY AND BRANCH EXHIBITS

EXHIBIT **A**: BUSINESS ORGANIZATION DOCUMENTS

- Attach the appropriate documentation for the type of business organization as follows:

BUSINESS ORGANIZATION REQUIREMENTS

- New Mexico Corporation:** provide a certified copy of the Articles of Incorporation and Bylaws
- Foreign Corporation (Non-NM Corp):** provide a certified copy of the Articles of Incorporation and Bylaws
- Partnership:** provide Statement of Partnership/Partnership Agreement
- Limited Liability Company:** provide Articles of Organization
- Registered Limited Liability Partnership:** provide Registration
- Sole Proprietorship:** provide Social Security # _____ - _____ - _____

EXHIBIT **B**: COMPANY RESUMES

- Attach current resumes for all company managers, owners, partners, members, directors and officers listed in Question 9.

EXHIBIT **C**: BRANCH RESUMES

- Attach current resumes for all branch managers listed in Question 10.

EXHIBIT **D**: FINANCIAL STATEMENT

- Attach an itemized statement of the estimated receipts and expenditures for the proposed first year of operation.

III. SURETY BOND

EXHIBIT **E**: SURETY BOND

- Attach company surety bond meeting the following requirements:
 - The surety bond shall be in the minimum amount of one hundred thousand dollars (\$100,000) for the benefit of the people of the state of New Mexico;
 - The surety bond shall run concurrent with the licensing period;
 - The surety bond shall be issued by a corporate surety company authorized by the superintendent of insurance to write surety bonds and to transact the business of fidelity and surety insurance in this state .

IV. CIVIL DISCLOSURE

Has the applicant, or any escrow agent, escrow manager, employee, owner, partner, officer, director, trustee or principal stockholder of the escrow company:

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

Has the applicant, or any escrow agent, escrow manager, employee, owner, partner, officer, director, trustee or principal stockholder of the escrow company:

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

Has the applicant, or any escrow agent, escrow manager, employee, owner, partner, officer, director, trustee or principal stockholder of the escrow company:

1. Been convicted of a felony, fraud, embezzlement 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 PLEASE ENSURE THAT THE FOLLOWING ITEMS ARE INCLUDED IN YOUR SUBMISSION PACKET:

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

MANDATORY APPLICATION ITEMS:

- EXHIBIT A: BUSINESS ORGANIZATION DOCUMENTS**
- New Mexico Corporation:** provide a certified copy of the Articles of Incorporation and Bylaws
 - Foreign Corporation (Non-NM Corp):** provide a certified copy of the Articles of Incorporation and Bylaws
 - Partnership:** provide Statement of Partnership/Partnership Agreement
 - Limited Liability Company:** provide Articles of Organization
 - Registered Limited Liability Partnership:** provide Registration
 - Sole Proprietorship:** provide Social Security # _____ - _____ - _____
- EXHIBIT B: COMPANY RESUMES**
- EXHIBIT C: BRANCH RESUMES (IF APPLICABLE)**
- EXHIBIT D: FINANCIAL STATEMENT**
- EXHIBIT E: SURETY BOND**
- EXHIBIT F: CIVIL LITIGATION (IF APPLICABLE)**
- EXHIBIT G: BUSINESS LICENSING INFORMATION (IF APPLICABLE)**
- EXHIBIT H: REGULATORY ENFORCEMENT ACTION HISTORY (IF APPLICABLE)**
- EXHIBIT I: CRIMINAL HISTORY (IF APPLICABLE)**
- ENCLOSED CHECK OR MONEY ORDER PAYABLE TO FINANCIAL INSTITUTIONS DIVISION FOR:
- Escrow Company License Fee (Principal Office): \$400.00**
 - Branch License Fee (Per Location): \$200.00**
- APPLICANT'S NOTARIZED OATH AND STATEMENT

VIII. 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 an 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.

*(Corporate Seal
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 Public)

My Commission Expires:

(Notary seal)
