



STATE OF NEW MEXICO
REGULATION AND LICENSING DEPARTMENT
FINANCIAL INSTITUTIONS DIVISION
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APPLICATION FOR ORIGINAL MOTOR VEHICLE SALES FINANCE LICENSE

GENERAL INSTRUCTIONS

1. Use this form if applying for a Motor Vehicle Sales Finance license for the first time. **If a Motor Vehicle Sales Finance license is currently maintained, do not use this form.** Instead, complete the Renewal Application for Motor Vehicle Sales Finance License, available on the Financial Institutions Division website.
2. **THE APPLICATION MUST BE COMPLETED IN ITS ENTIRETY.** Applications submitted without complete responses, appropriate fees or applicable exhibits will be returned to the applicant. **Please complete the checklist on the last page of this packet to ensure the application is complete.**
3. If the space provided for answers is inadequate, additional pages should be attached. **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 in the top corner of every page: applicant name, and exhibit letter.**
5. If the company maintains more than one location, each location must be licensed. The license fee for a principal business location or branch located in New Mexico is four hundred dollars (\$400). The license fee for a principal business location or branch located outside of New Mexico is five hundred dollars (\$500). The only acceptable methods of payment are checks or money orders payable to the Financial Institutions Division.
6. All Motor Vehicle Sales Finance licenses will expire at the close of business on December 31st of each year, unless renewed for the upcoming year. License renewal applications are due at the close of business on **December 15th** of each 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, license fee, and all exhibits must be mailed to the Financial Institutions Division. **Failure to submit a complete application and application fee may result in the denial of license.**

11	Contact Information for the Manager at the business location that maintains this license:	<div style="text-align: center;">(Name of Manager)</div> <div style="display: flex; justify-content: space-between;"> (Phone Number) (Fax Number) </div> <div style="text-align: center;">(Email Address)- <i>This field must be completed to receive official correspondence</i></div>
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Question 12: Provide the name and address of all partners, officers, directors, trustees, principal owners, members, and beneficiaries of the applicant in the table below. (§58-15-4 (A), NMSA 1978)

COMPANY INFORMATION FORM

NAME	RESIDENTIAL ADDRESS	TITLE	OWNERSHIP PERCENTAGE

Question 13: State Reference: Enter appropriate number in the box for each jurisdiction where the applicant is or has ever been licensed to engage in any consumer lending business.

Enter 1 if applicant has a pending application in that jurisdiction
 Enter 2 if applicant is already licensed in that jurisdiction
 Enter 3 if applicant was formerly licensed in that jurisdiction

AL		FL		LA		NE		OK		VT	
AK		GA		ME		NV		OR		VA	
AZ		HI		MD		NH		PA		WA	
AR		ID		MA		NJ		RI		WV	
CA		IL		MI		NM		SC		WI	
CO		IN		MN		NY		SD		WY	
CT		IA		MS		NC		TN			
DE		KS		MO		ND		TX			
DC		KY		MT		OH		UT			

II. MANDATORY APPLICATION EXHIBITS

EXHIBIT A: APPLICANT ORGANIZATION DOCUMENTS

Provide the following applicable documentation for the applicant:

- For a *New Mexico Corporation* provide the following:
 - Articles of Incorporation
 - Certification of Incorporation
 - Certificate of Good Standing with the New Mexico Secretary of State
- For a *Foreign Corporation* provide the following:
 - Articles of Incorporation
 - Certification of Incorporation
 - Certificate of Registration with the New Mexico Secretary of State
 - Certificate of Good Standing with the New Mexico Secretary of State
- For a *Limited Liability Company* provide the following:
 - Articles of Organization
 - Certification of Organization
 - Certificate of Good Standing with the New Mexico Secretary of State
- For a *Partnership* provide the following:
 - Statement of Partnership / Partnership Agreement
 - Social Security Number for each partner
- For a *Registered Limited Liability Partnership* provide the following:
 - Statement of Partnership / Partnership Agreement
 - Registration of the Partnership
 - Social Security Number for each partner
- For a *Sole Proprietor* provide the following:
 - Social Security Number for the Sole Proprietor

EXHIBIT B: FINANCIAL STATEMENT

Attach a copy of the company's financial statements **prepared within the past 60 days**. The financial statements must meet the following requirements:

- **Signed and Dated** by a Certified Public Accountant or an Officer of the Company.
- Prepared in accordance with generally accepted accounting practices

EXHIBIT C: AFFILIATION WITH OTHER BUSINESS ENTITIES

If the applicant is a member of, or interested financially in, connected or affiliated with, controls or is controlled by, owns or is owned by other corporations, partnerships, trust, associations or other legal entities engaged in the lending of money, attach a statement or organizational chart disclosing those interests, relationships, and affiliations.

III. CIVIL DISCLOSURE

Within the past ten years, has the applicant, or any parent company, partner, officer, director, trustee, senior employee, or shareholder owning ten percent (10%) or more ever:

14. Been the subject of a proceeding in bankruptcy, foreclosure, receivership, assignment for the benefit of creditors, or for debt and money due? Yes No
15. Been the subject of **consumer initiated litigation** or arbitration filed in connection with a financial services-related business? Yes No
16. Been the subject of any **litigation**, filed in any jurisdiction that, according to generally accepted accounting principles is deemed significant to financial health and would be required to be referenced in an annual audited financial statement, report to shareholders, or similar documents? Yes No

CIVIL DISCLOSURE EXHIBITS

EXHIBIT D: CIVIL LITIGATION

- If answered **YES** to any of the above, please attach complete details of all events or proceedings, including the following information:
 - A copy of the original filed complaint;
 - A description of the action, including a statement indicating whether the action is still pending;
 - A copy of any publicly available court paperwork evidencing a final disposition of the case;
 - If the action has been resolved, provide a copy of the document evidencing final disposition of the case. (e.g. Settlement Agreement)
 - Any other relevant information.

IV. REGULATORY DISCLOSURE

Within the past ten years, has the applicant, or any parent company, partner, officer, director, trustee, senior employee, or shareholder owning ten percent (10%) or more ever:

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

REGULATORY DISCLOSURE EXHIBITS

EXHIBIT E: BUSINESS LICENSING INFORMATION

- If answered **YES** to question 17, 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 F: REGULATORY ENFORCEMENT ACTION HISTORY

- If answered **YES** to question 18 or 19, please attach complete details of all events or proceedings, including the following information:
 - The name of the regulatory agency that executed the enforcement action;
 - The contact information for the regulatory agency that executed the enforcement action;
 - A copy of the enforcement action filed by the regulatory agency;
 - Any other relevant information.

V. CRIMINAL DISCLOSURE

Within the past ten years, has the applicant, or any parent company, partner, officer, director, trustee, senior employee, or shareholder owning ten percent (10%) or more ever:

20. Pled guilty or nolo contendere “no contest” in a domestic, foreign, or military court to any felony? Yes No
21. Been convicted in a domestic, foreign, or military court of any felony? Yes No
22. Had pending charges for any felony? Yes No
23. Pled guilty or nolo contendere “no contest” in a domestic, foreign, or military court to committing, or conspiring to commit, or attempting to commit a crime which resulted in a misdemeanor conviction involving (1) any aspect of the motor vehicle sales finance business (2) fraud (3) theft or larceny (4) issuing worthless checks (5) forgery? Yes No
24. Had pending charges for any misdemeanor involving committing, conspiring, or attempting to commit a crime involving (1) any aspect of the motor vehicle sales finance business (2) fraud (3) theft or larceny (4) issuing worthless checks (5) forgery? Yes No

CRIMINAL DISCLOSURE EXHIBITS

EXHIBIT G: CRIMINAL HISTORY

- If answered **YES** to any of the above, please attach complete details of all events or proceedings, including the following information:
 - 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 the company (e.g. Director, Manager, etc.)
 - A copy of the Court document evidencing final disposition of the case (e.g. Plea and Disposition Agreement)

VII. APPLICATION CHECKLIST

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

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

MANDATORY APPLICATION ITEMS:

- EXHIBIT A:** APPLICANT ORGANIZATION DOCUMENTS
- EXHIBIT B:** FINANCIAL STATEMENT (*Balance Sheet and Income Statement*)
- EXHIBIT C:** AFFILIATION WITH OTHER BUSINESS ENTITIES
- ENCLOSED CHECK OR MONEY ORDER PAYABLE TO FINANCIAL INSTITUTIONS DIVISION FOR **APPLICATION AND ORIGINAL LICENSE FEES**
- ENCLOSED APPLICANT'S NOTARIZED OATH AND STATEMENT

MANDATORY EXHIBITS IF APPLICABLE:

- EXHIBIT D:** CIVIL LITIGATION
- EXHIBIT E:** BUSINESS LICENSING INFORMATION
- EXHIBIT F:** REGULATORY ENFORCEMENT ACTION HISTORY
- EXHIBIT G:** CRIMINAL HISTORY