



STATE OF NEW MEXICO
REGULATION AND LICENSING DEPARTMENT
FINANCIAL INSTITUTIONS DIVISION
P.O. Box 25101, 2550 Cerrillos Road, 3rd Floor, Santa Fe, NM 87504
Phone: (505) 476-4559 Fax: (505) 476-4570
www.rld.state.nm.us/financialinstitutions
Industry Manager: David Mora – david.mora@state.nm.us
Licensing Specialist: Bernadette Ortega – bernadette.ortega@state.nm.us

RENEWAL APPLICATION FOR SMALL LOAN LICENSE

GENERAL INSTRUCTIONS

1. Use this form if applying to **RENEW** a Small Loan license. **If a small loan license is not maintained, do not use this form.** Instead, complete the Application for Original Small Loan License, available on the Financial Institutions Division website.
2. **THE ENCLOSED APPLICATION MUST BE COMPLETED IN ITS ENTIRETY.** Applications containing incomplete responses, lacking fees, or exhibits will be returned to the applicant. Please complete the checklist on the last page of this packet to ensure that 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 right corner of every page; applicant name, license number, and exhibit letter.**
5. If the company maintains more than one location, each location must be licensed. Therefore for each license location complete a renewal application and pay a renewal fee as calculated in this application. In addition to submitting a renewal fee, each license must pay an examination fee of two hundred dollar (\$200.00). The only methods of payment accepted are checks or money orders made payable to the Financial Institutions Division. **Renewal fees and examination fees must be remitted on separate checks and/or money orders.**
6. All small loan licenses will expire at the close of business on June 30th of each year, unless renewed for the upcoming year. License renewal applications are due at the close of business on March 31st 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, calculated renewal fee, examination fee, and all exhibits must be mailed to: The Financial Institutions Division, P.O. Box 25101, 2550 Cerrillos Road, 3rd Floor, Santa Fe, NM 87504. **Failure to submit a complete application and all fees by March 31st of each year will result in the Division imposing a mandatory delinquency fee of ten dollars (\$10.00) per day for each license delinquent in filing the renewal application pursuant to §58-15-5(K) NMSA 1978.**

I. GENERAL APPLICANT INFORMATION

SMALL LOAN:

1	Name of Legal Entity:	(The legal Entity applying for this license)
2	D/B/A if Applicable:	("Doing Business As")(Fictitious Name)
3	License Number:	
4	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)
5	Applicant's website and email where all official correspondence may be sent:	(website) (Email)- This field must be completed to receive official correspondence
6	Mailing Address for the Corporate Office:	(Mailing Address) (City) (State) (Zip Code)
7	Physical Address for the business location that maintains this license:	(Physical Street Address) (City) (State) (Zip Code)
8	Applicant's Registered Agent: (must be a resident of New Mexico for service of all judicial or other process or legal notice)	(Name of Registered Agent) (Street Address) (City) (State) (Zip Code) (Email)- This field must be completed to receive official correspondence

9	Designated Contact Person to Respond to Licensing Questions:	<p>(Email)- This field must be completed to receive official correspondence</p> <p>(Name of Contact Person)</p> <p>(Physical Street Address)</p> <p>(City) (State) (Zip Code)</p> <p>(Phone Number) (Fax Number)</p>
10	Designated Contact Person to Respond to Examination Questions:	<p>(Email)- This field must be completed to receive official correspondence</p> <p>(Name of Contact Person)</p> <p>(Physical Street Address)</p> <p>(City) (State) (Zip Code)</p> <p>(Phone Number) (Fax Number)</p>
11	Designated Contact Person to Respond to Consumer Complaints:	<p>(Email)- This field must be completed to receive official correspondence</p> <p>(Name of Contact Person)</p> <p>(Physical Street Address)</p> <p>(City) (State) (Zip Code)</p> <p>(Phone Number) (Fax Number)</p>

Question 12: Within the past year, if there has been any change in the owners, partners, members, beneficiaries, 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, or 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	RESIDENTIAL ADDRESS	TITLE	OWNERSHIP PERCENTAGE	TYPE OF CHANGE

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			

Question 14: Request for Authority to Conduct Other Business:

If permission is desired for authority to conduct the business of making loans pursuant to the New Mexico Small Loan Act of 1955, as amended, within the same building, office, suite, room or place of business in which other business is solicited or engaged in by the Licensee or any employee, agent or associate or in association or conjunction with any other business, then the following portion of the application must be completed: this applies to any and all businesses other than the making of small loans pursuant to the New Mexico Small Loan Act of 1955.

REQUEST FOR AUTHORITY TO CONDUCT OTHER BUSINESS FORM:

Insurance Products:	
Loans Made & Contracts Purchased Under Other Statutes:	<input type="checkbox"/> New Mexico Bank Installment Loan Act of 1959 <input type="checkbox"/> The General laws governing Money, Interest, and Usury <input type="checkbox"/> New Mexico Motor Vehicle Sales Finance Act <input type="checkbox"/> Retail Installment Sales Finance Act
Types of Loan Products Offered:	<input type="checkbox"/> Payday Loans: <i>Defined as “a loan where the business operator cashes a personal check tendered by the customer and agrees in writing to defer presentment of that check until the customer’s next payday, or another date agreed to by the business operator and the customer”.</i> <input type="checkbox"/> Title Loans: <i>Defined as “a loan secured by the borrower’s vehicle title, which is structured to be a short term, fixed rate, closed end transaction usually paid in one installment”.</i> <input type="checkbox"/> Installment Loans: <i>Defined as “a loan that is to be repaid in a minimum of four successive substantially equal payment amounts to pay off a loan in its entirety with a period of no less than one hundred twenty days to maturity.”</i> <input type="checkbox"/> Refund Anticipation Loans: <i>Defined as a loan that is secured by the proceeds from a consumer's anticipated income tax refund or tax credit.</i> <input type="checkbox"/> Other: (Provide a description of all other loan products offered)
Other Business Products:	<input type="checkbox"/> Auto Club <input type="checkbox"/> Check Cashing <input type="checkbox"/> Debit Card <input type="checkbox"/> Gift Cards <input type="checkbox"/> Money Orders <input type="checkbox"/> Money Transmitter Services <input type="checkbox"/> Mortgage Lending <input type="checkbox"/> Pawn Business <input type="checkbox"/> Pre-Paid Debit Cards <input type="checkbox"/> Pre-Paid Phone Cards <input type="checkbox"/> Precious Metal Dealing <input type="checkbox"/> Retail Sales (i.e. Appliances, Electronics, Equipment, Furniture, etc.) <input type="checkbox"/> Rent-to-Own Business <input type="checkbox"/> Tax Services <input type="checkbox"/> Vehicles Sales <input type="checkbox"/> Other (Provide a description of all other business below)

II. RENEWAL FEE CALCULATION

Pursuant to §58-15-5(K) NMSA 1978, the licensee must pay a minimum of five hundred dollars (\$500.00), plus an additional seventy-five cents (\$0.75) for each one thousand dollars (\$1,000.00) or fraction thereof of loans outstanding as of December 31 for the preceding year. (Applies only to loans made under the Small Loan Act- exclude loans made under the Bank Installment Act and the Money Interest and Usury Statute.) **Complete the following equation to calculate the renewal fee:**

Step 1: Enter the dollar amount of loans made under the New Mexico Small Loan Act as of December 31st of the preceding year. \$

Step 2: Multiple the dollar amount entered for Step 1 by .00075 **X .00075**
= \$

Step 3: Add the minimum renewal fee of \$500 to the dollar amount calculated in Step 2. **+ \$500**

TOTAL LICENSE RENEWAL FEE DUE: (*Sum of Step 2 and 3*) \$

III. MANDATORY APPLICATION EXHIBITS

EXHIBIT A: FINANCIAL STATEMENT

(BALANCE SHEET AND INCOME STATEMENT)

Pursuant to §58-15-5(F) (3) NMSA 1978, each licensee must demonstrate that there is \$30,000 cash or the equivalent available for the operation of the business. If the applicant holds more than one Small Loan License, the \$30,000.00 requirement is **for each license**. *For example, an applicant that has two Small Loan Licenses must have \$30,000.00 per location totaling \$60,000.00.* In order to fulfill this requirement, the applicant must submit either a financial statement or a letter from a depository institution that satisfies the criteria below:

FINANCIAL STATEMENT REQUIREMENTS

- The financial statements must demonstrate that licensee has \$30,000 cash or its equivalent, convertible securities or receivables of thirty thousand dollars (\$30,000) or any combination thereof; available for operation of the business **for each license**, as required by §58-15-5(F) (3) NMSA 1978;
- The financial statements must be **signed and dated** within the last 6 months by a certified public accountant or signed and dated by an officer of the company.
- The financial statements must be prepared in accordance with generally accepted accounting practices;

OR

LETTER FROM DEPOSITORY INSTITUTION

- The letter must be written on the depository institution's letterhead and signed by a representative of the depository institution within the past six months;
- The letter must state that the **average ledger balance for the past six months** has been \$30,000 or more **for each license**;
- The letter must state that the monies on deposit are unencumbered and are held in the name of the applicant;

EXHIBIT B: 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.

IV. CIVIL DISCLOSURE

Within the past year, has the Applicant, or any parent company, partner, officer, director, trustee, stockholder or senior employee ever:

15. Been the subject of a proceeding in bankruptcy, foreclosure, receivership, assignment for the benefit of creditors, or for debt and money due? Yes No
16. Been the subject of **consumer initiated litigation** or arbitration filed in connection with a financial services-related business? Yes No
17. 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 C: 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.

V. REGULATORY DISCLOSURE

Within the past year, has the Applicant, or any parent company, partner, officer, director, trustee, stockholder or senior employee ever:

18. Applied for any other type of business license with this Division? Yes No
19. Been refused any type of business license by a state or federal financial institutions regulatory agency? Yes No
20. 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 **D**: BUSINESS LICENSING INFORMATION

- If answered **YES** to question 18, 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 **E**: REGULATORY ENFORCEMENT ACTION HISTORY

- If answered **YES** to question 19 or 20, 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.

VI. CRIMINAL DISCLOSURE

Within the past year, has the Applicant, or any parent company, partner, officer, director, trustee, stockholder or senior employee ever:

21. Been convicted of a felony or any crime involving moral turpitude? Yes No

CRIMINAL DISCLOSURE EXHIBITS

EXHIBIT **F**: CRIMINAL HISTORY

- If answered **YES** to question 21, 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 organization (e.g. Director, Manager, etc.)
 - A copy of the Court document evidencing final disposition of the case (e.g. Plea and Disposition Agreement)

VII. APPLICANT 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 small loan license as provided for in Chapter 58-15-1 *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 application for license, or to initiate later proceedings against this license. I understand a license, if granted, is a revocable privilege to be enjoyed and exercised only in accordance with all the terms and conditions of 58-15-1 NMSA 1978 *et seq.* and the accompanying lawful regulations promulgated by the Director. I certify that the calculation tool and the procedures used to determine the Annual Percentage Rate for licensee’s loan documents meets the accuracy standard as defined by Federal Regulation Z Truth in Lending, to the best of my knowledge and belief.

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*)

VIII. APPLICATION CHECKLIST

Before submitting 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:** FINANCIAL STATEMENTS OR LETTER FROM DEPOSITORY INSTITUTION

- EXHIBIT B:** DISCLOSURE OF AFFILIATED BUSINESS ENTITIES

- ENCLOSED CHECK OR MONEY ORDER PAYABLE TO FINANCIAL INSTITUTIONS DIVISION FOR **LICENSE RENEWAL FEES FOR ALL LOCATIONS.**

- ENCLOSED CHECK OR MONEY ORDER PAYABLE TO FINANCIAL INSTITUTIONS DIVISION FOR **EXAMINATION FEES FOR ALL LOCATIONS.** (\$200 PER LOCATION)

- ENCLOSED APPLICANT'S NOTARIZED OATH AND STATEMENT

MANDATORY EXHIBITS IF APPLICABLE:

- EXHIBIT B:** AFFILIATION WITH OTHER BUSINESS ENTITIES
- EXHIBIT C:** CIVIL LITIGATION
- EXHIBIT D:** BUSINESS LICENSING INFORMATION
- EXHIBIT E:** REGULATORY ENFORCEMENT ACTION HISTORY
- EXHIBIT F:** CRIMINAL HISTORY