



## New Application Checklist Jurisdiction-Specific Requirements



### GEORGIA EXEMPT COMPANY REGISTRATION

#### Instructions

1. Companies exempt from licensing in Georgia may register their company with the Department of Banking and Finance through NMLS. This exempt mortgage company registration is **OPTIONAL** and is provided for companies who are not required to be licensed under Georgia law, but employ individuals required to be licensed under Georgia law and wishes to take advantage of efficiencies the system offers. Such Companies register by submitting a completed Form MU1.

#### OR

Companies exempt from licensing in Georgia, but employ individuals required to be licensed under Georgia law must register their company with the Department of Banking and Finance through NMLS by filing a Form MU1.

2. The Registered Agent entered on Form MU1 must be the same person recorded with the Secretary of State. If you are not an out of state company and are not required to register with the Secretary of State, list the individual listed as the *Contact Person* for the company on Form MU1
3. At least one Individual must be listed in the *Direct Owner/Executive Officer* section of Form MU1 and be listed as a *Control Person* with a Form MU2 completed. This individual should have the authority to make decisions on behalf of the company.
4. The *Qualifying Individual* section of Form MU1 can be left blank.
5. Total registration costs: \$100 NMLS processing fee for Form MU1 (headquarters) and \$20 NMLS processing fee for each Form MU3 (branch location). All fees are collected through the NMLS and ARE NOT REFUNDABLE.
6. Jurisdiction-specific requirements as identified on the checklist below must be received with this checklist within 5 business days of the electronic submission of your application through the NMLS at the following:

For U.S. Postal Service:

Georgia Department of Banking & Finance  
Non-Depository Financial Institutions  
2990 Brandywine Road Suite 200  
Atlanta, GA 30341-5565

For Overnight Delivery:

Georgia Department of Banking & Finance  
Non-Depository Financial Institutions  
2990 Brandywine Road Suite 200  
Atlanta, GA 30341-5565

NMLS Unique ID Number: \_\_\_\_\_

Applicant Legal Name: \_\_\_\_\_

ATTACHED	NOT APPLICABLE	ITEM
		<p><b>EXEMPTION CLAIMED.</b> In the space below, cite the provision in Georgia law under which your company is claiming an exemption from licensure:</p> <p>_____</p> <p>_____</p> <p>_____</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p><b>SURETY BOND.</b> If the exempt company is providing the bond for its Loan Originators, submit an original surety bond in the amount of \$50,000 for Broker company or \$150,000 for Lender company furnished by a surety company authorized to conduct business in Georgia. The name of the principal insured on the bond must match exactly the Full Legal Name of applicant. Use the surety bond form found below . <a href="#">Click to download document.</a></p>
<input type="checkbox"/>	<input type="checkbox"/>	<p><b>SECRETARY OF STATE DOCUMENTATION.</b> A certified copy of:</p> <ul style="list-style-type: none"> <li>• The Corporate Charter or Articles of Incorporation (if a corporation), or</li> <li>• The Articles of Organization and Operating Agreement (if a Limited Liability Company), or</li> <li>• The Partnership Agreement (if a partnership of any form); and</li> </ul>
<input type="checkbox"/>	<input type="checkbox"/>	<p>A Certificate of Authority or a Certificate of Good Standing dated not more than 60 days prior to the filing of an application through NMLS; and</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p><b>OTHER TRADE NAMES.</b> Applicants domiciled in Georgia should file for Trade Name Registration with the Superior Court in the county or counties where they choose to do business. <u>Submit</u> a copy of the registration with the application.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p><b>DISCLOSURE QUESTIONS.</b> Provide complete details of all events or proceedings for any “Yes” answer to any of the Disclosure questions for the company or any Control Person.</p>

**WHO TO CONTACT** – Contact *Non-Depository Financial Institutions* licensing staff by phone at 770-986-1136 or send your questions via e-mail to [newapps@dbf.state.ga.us](mailto:newapps@dbf.state.ga.us) for additional assistance.

THE APPLICANT IS FULLY RESPONSIBLE FOR ALL OF THE REQUIREMENTS FOR WHICH THEY ARE APPLYING. THE JURISDICTION SPECIFIC REQUIREMENTS CONTAINED HEREIN ARE FOR GUIDANCE ONLY TO FACILITATE APPLICATION THROUGH THE NMLS. SHOULD YOU HAVE QUESTIONS, PLEASE CONSULT LEGAL COUNSEL.