



GA Installment Lender License Amendment Checklist (Company)

CHECKLIST SECTIONS

- [General Information](#)
- [Amendments](#)

GENERAL INFORMATION

Instructions

When making changes to your record in NMLS, the Georgia Department of Banking and Finance (Department) requires advance notification for some changes. See the checklist below for details.

The amendment should not be filed until all required documentation is complete and ready for submission. *The Department may not accept or process materially incomplete filings/applications. Incomplete amendment applications will not be processed.* The Department will review the filing and communicate with you through NMLS, at which time any additional documents required will be requested. To review your status in NMLS, click the Tasks tab and click Work List.

Uploading Agency-Specific Documents

If you are required to upload documents to NMLS for an Advance Change Notice (ACN), select “Advance Change Notice” for the document type in the NMLS Document Uploads section. If you are required to upload documents for an amendment that doesn’t require an ACN, select the applicable document type in the NMLS Document Uploads section.

Note: Use the recommended filing naming convention found on the [Document Upload Descriptions and Examples](#).

Helpful Resources

- [Amendments & Advance Change Notice](#)
- [Document Uploads Quick Guide](#)
- [Document Upload Descriptions and Examples](#)

AMENDMENTS

- [Change of Legal Name](#)

Prohibited Words in the Applicant’s Name: Use of the of the words “bank”, “credit union”, “trust” or any variation thereof in Georgia is highly restricted by O.C.G.A. § 7-1-243. Generally, before the Secretary of State allows an entity to incorporate or register a name containing such restricted word(s), the entity will be required to obtain written permission from the Department to use such word(s). Use of the words “national” or “federal” in a name is restricted by Georgia law (O.C.G.A. § 7-1-130) and by federal law. Georgia law pertains specifically to financial institutions (which are defined in O.C.G.A. § 7-1-4(21)). The federal prohibition is found at [18 USC 709: False advertising or misuse of names to indicate Federal agency](#).

- [Change of Main Address](#)
- [Addition or Modification of Other Trade Name](#)

Other Trade Names/DBA: Applicants should not include “dba” in front of their Other Trade Name. The name input in NMLS should be exactly as it will be used in advertising, documents, etc. Applicants should indicate if the Other Trade Name is forced by a state by checking the box in the forced column. A forced Other Trade Name is one that is required to be used because the state’s Secretary of State or other agency will not allow the company to use its legal name. This may be due to a number of reasons, including the company’s legal name is already used by another company in that state.

Unless the Other Trade Name is forced, it must not include the words “corporation, incorporated, etc.” or any variation/abbreviation that would give the impression the entity is incorporated.

The Georgia Secretary of State does not register trade names. Pursuant to O.C.G.A. § 10-1-490, trade names are registered with the clerk of superior court of the county in which the business is chiefly carried on or, in the case of a domestic corporation using a trade name, in the county of its legal domicile. You can search for the appropriate clerk’s office by using the Georgia Superior Court Clerks’ Cooperative Authority’s website at <https://www.gsccca.org/clerks>.

- [Deletion of Other Trade Name](#)
- [Change of Legal Status](#)
- [Addition or Modification of Executive Officers or Other Control Persons](#)

Change in Management: \$500

- [Addition or Modification of Direct Owners/Indirect Owners](#)

Change in Control: \$500

Control Persons: Control means the direct or indirect possession of power to direct or cause the direction of the management and policies of a person. The following persons must be separately identified and included in the Direct Owners/Executive Officers and Indirect Owners sections of the NMLS Company Form MU1:

(1) Owner:

- a. Owns, directly or indirectly, a 10 percent or more interest in a corporation or any other form of business organization;
- b. Owns, directly or indirectly, 10 percent or more of the voting shares of any corporation or any other form of business organization; or
- c. Exerts control, directly or indirectly, over a corporation or any other form of business organization, regardless of whether such person owns or controls such interest through one or more natural persons or one or more proxies, powers of attorney, nominees, corporations, associations, limited liability companies, partnerships, trusts, joint stock companies, other entities or devices, or any combination thereof.

(2) Executive officer: The chief executive officer, president, chief financial officer, chief operating officer, each vice president with responsibility involving policy-making functions for a significant aspect of a person's business, secretary, treasurer, or any other person performing similar managerial or supervisory functions with respect to any organization, whether incorporated or unincorporated.

(3) Officers, directors, or other persons who direct the affairs of or control or establish policy for the applicant.

Each MU2/Control Person is required to authorize an FBI criminal background check (CBC) through NMLS. **A criminal background increases the difficulty of making a favorable finding on an application. The Department shall not issue a license if the applicant or any of its MU2/Control Persons has been convicted of a felony and did not obtain a pardon or other remedy pursuant to O.C.G.A. Section 7-3-42(a).**

- [Addition or Modification of Affiliates/Subsidiaries](#)
- [Change of Disclosure Question\(s\)](#)

Note: Information uploaded or filed in NMLS will not be viewable to the agency until the filing has been attested to and submitted through NMLS. Agency-specific requirements should be uploaded to the appropriate section in NMLS as indicated on the checklist below within five (5) business days of the electronic submission of your filing through NMLS.

Agency Contact Information

Contact the Non-Depository Financial Institutions (NDFI) Division licensing staff via email at NDFI@dbf.state.ga.us for additional assistance.

Website: <https://dbf.georgia.gov>

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

| Complete | GA Installment Lender License Change of Legal Name Amendment Items | Submitted via... |
|--------------------------|---|--|
| <input type="checkbox"/> | Change of Legal Name: Submit an ACN for a change of Legal Name through the Company Form (MU1) in NMLS. 5 days' notice must be provided for this change. | NMLS |
| Note | Change of Legal Name Fee: There is no fee for a change in legal name. | N/A |
| <input type="checkbox"/> | Surety Bond Rider: Contact the surety bond producer to inform them of the change and effective date so the producer can initiate the Surety Bond Rider Process in NMLS. Visit the ESB for NMLS Licensees page of the NMLS Resource Center for more information about the Electronic Surety Bond process. | Electronic Surety Bond in NMLS |
| <input type="checkbox"/> | <p>Formation Documents: Determine classification of applicant's legal status and submit a State certified copy of the applicable documentation for the change in legal name.</p> <p>Please note that a Sole Proprietorship does not have to be registered with the Georgia Secretary of State; therefore, the applicant is not required to submit Articles of Amendment or Certificate of Authority but should ensure that the new business name is amended in the "Other Trade Name" section in NMLS.</p> <p>This document should be named <i>Formation Document Amendment [Date of Creation (MM-DD-YYYY)]</i>.</p> | Upload in NMLS: under the Document Type <u>Formation Document</u> in the <i>Document Uploads</i> section of the Company Form (MU1). |

| Complete | GA Installment Lender License Change of Main Address Amendment Items | Submitted via... |
|--------------------------|--|--|
| <input type="checkbox"/> | Change of Main Address: Submit an ACN for a change of Main (Corporate) Address through the Company Form (MU1) in NMLS. 5 days' notice must be provided for this change. | NMLS |
| <input type="checkbox"/> | <p>Convenience & Advantage Questionnaire: <i>Applies to licensees whose main office is located in Georgia AND installment lending activity is conducted at the main office location.</i> The distance of the proposed new main office location from the current main office location will determine if the Convenience & Advantage Questionnaire is required. Answers to the GA Installment Lender Branch Office Questionnaire should be typed. If additional answer space is required, please include additional pages and attach to this application.</p> <p>Click to download document.</p> <p>This document should be named <i>GA Convenience & Advantage Questionnaire – Document Creation Date</i>.</p> | Upload in NMLS under the Document Type <u>ACN Related Documents</u> in the <i>Document Uploads</i> section of the Company Form (MU1). |
| Note | Change of Main Address: There is no fee for a change in main address. | N/A |

| Complete | GA Installment Lender License Addition or Modification of Other Trade Name Amendment Items | Submitted via... |
|--------------------------|---|------------------|
| <input type="checkbox"/> | Addition or Modification of Other Trade Name: Submit an ACN for an addition of or change to an Other Trade Name through the Company Form (MU1) in NMLS. 5 days' notice must be provided for this change. | NMLS |
| Note | Addition of Other Trade Name There is no fee for an addition or modification of Other Trade Name. | N/A |

| Complete | GA Installment Lender License Deletion of Other Trade Name Amendment Items | Submitted via... |
|--------------------------|--|------------------|
| <input type="checkbox"/> | Deletion of Other Trade Name: Submit an ACN for a deletion an Other Trade Name through the Company Form (MU1) in NMLS. If deleting an Other Trade Name, this name must be removed from the <i>Other Trade Names</i> section of the Company Form (MU1). | NMLS |

| Complete | GA Installment Lender License Change of Legal Status Amendment Items | Submitted via... |
|--|--|--|
| Note: In many cases, a change to the Fiscal Year End, Legal Status, and State or Date of Formation indicates a new entity has been formed and a new NMLS record is required. This includes the creation of a new NMLS account and submission of a new Company Form (MU1). | | |
| <input type="checkbox"/> | Change of Legal Status: Submit an ACN for a change of Legal Status within the Company Form (MU1) in NMLS. 5 days' notice must be provided for this change. <u>Please note that a change in business structure (corporation to sole proprietor, etc. and/or a change in EIN) will require submission of a new Company MU1 form through NMLS.</u> | NMLS |
| <input type="checkbox"/> | Formation Documents: Determine classification of applicant's legal status and submit a state copy of the applicable documentation for the change in legal status. Please note that a Sole Proprietorship does not have to be registered with the Georgia Secretary of State ; therefore, the applicant is not required to submit Articles of Amendment or Certificate of Authority. This document should be named <i>Legal Status Amendment [Date of Creation (MM-DD-YYYY)]</i> . | Upload in NMLS: under the Document Type <u>Formation Document</u> in the <i>Document Uploads</i> section of the Company Form (MU1). |

| Complete | GA Installment Lender License Addition or Modification of Executive Officers or Other Control Persons Amendment Items | Submitted via... |
|--------------------------|--|---------------------------|
| <input type="checkbox"/> | <p>Addition or Modification of Executive Officers or Other Control Persons: Submit an ACN for an addition or change in Executive Officers or Other Control Persons listed in the Company Form (MU1) in NMLS.</p> <p><i>If the submitted change(s) to the Executive Officers also results in a change in ownership for the entity, additional documents will be required as noted below in the Addition or Modification of Direct Owners/Indirect Owners Amendment section below.</i></p> | NMLS |
| <input type="checkbox"/> | <p>Change in Management: \$500</p> <p>The Change in Management fee should be paid through NMLS with an Agency Fee Invoice and is NOT REFUNDABLE. The Agency Fee Invoice will be initiated by our Department at the time we begin our review of ACN in NMLS.</p> | NMLS (Agency Fee Invoice) |
| <input type="checkbox"/> | <p>FBI Criminal Background Check for MU2 Individual: \$36.25 per person.</p> | NMLS (Filing submission) |
| <input type="checkbox"/> | <p>MU2 Individual FBI Criminal Background Check Requirements: Owners, executive officers, and other persons with control are required to authorize an FBI criminal background check (CBC) through NMLS.</p> <p><i>Direct Owners</i></p> <ul style="list-style-type: none"> 10% or more direct ownership in the licensee <p><i>Executive Officers</i></p> <ul style="list-style-type: none"> All individuals added as executive officers are required to complete a CBC. <p><i>Indirect Owners</i></p> <ul style="list-style-type: none"> 10% or more indirect ownership in the licensee <p>A criminal background increases the difficulty of making a favorable finding on an application. The Department shall not issue a license if the applicant or any of its MU2/Control Persons has been convicted of a felony and did not obtain a pardon or other remedy pursuant to O.C.G.A. Section 7-3-42(a).</p> <p>The Department reviews criminal background checks on all ultimate equitable owners, executive officers, and other persons with control of Georgia installment lenders prior to approval of a new application.</p> <p>After authorizing an FBI criminal background check through the submission of the Company Form (MU1) and Individual Form (MU2), you must schedule an appointment to be fingerprinted if new prints are required.</p> <p>See the Criminal Background Check section of the NMLS Resource Center for more information.</p> <p>Note: If you are able to 'Use Existing Prints' to process the FBI criminal</p> | NMLS |

| Complete | GA Installment Lender License Addition or Modification of Executive Officers or Other Control Persons Amendment Items | Submitted via... |
|--------------------------|--|---|
| | background check, you DO NOT have to schedule an appointment. NMLS will automatically submit the fingerprints on file. | |
| <input type="checkbox"/> | <p>State Background Check Authorization: Individuals identified as control persons listed on the Company Form (MU1) are required to upload an executed original copy of the <i>Background Check Authorization Form</i>.</p> <p>Click here to access the GA Background Authorization form.</p> <p>This document should be named <i>[State Abbreviation] – BC Authorization</i>.</p> | Upload in NMLS: under the Document Type <u>State Background Check Authorization</u> in the <i>Document Uploads</i> section of the Individual Form (MU2). |
| <input type="checkbox"/> | Credit Report: \$15 per control person. | NMLS (Filing submission) |
| <input type="checkbox"/> | Credit Report: Ultimate equitable owners, executive officers, and other persons with control are required to authorize a credit report through NMLS. Such individuals will be required to complete an Identity Verification Process (IDV) along with an individual attestation before a license request for your company can be filed through NMLS. This authorization is made when the Individual Form (MU2) is submitted as part of the Company Form (MU1). | NMLS |
| <input type="checkbox"/> | <p>Credit Report Explanations: Any credit report filed with this Department containing tax liens, judgments, bankruptcies, and/or charged off accounts will likely cause the processing of the application to be delayed or possibly cause the application to be denied. Outstanding derogatory credit issues or bankruptcies, which have not been discharged, will require satisfactory explanation.</p> <p>This document should be named <i>Credit Report Explanations – Sub Name – Document Creation Date</i>.</p> | Upload in NMLS: under the Document Type <u>Credit Report Explanations</u> in the <i>Document Uploads</i> section of the Individual Form (MU2). |

| Complete | GA Installment Lender License Addition or Modification of Direct Owners/Indirect Owners Amendment Items | Submitted via... |
|--------------------------|---|------------------|
| <input type="checkbox"/> | <p>Addition or Modification of Direct or Indirect Owners: Submit an ACN for an addition or change in Direct or Indirect Owners listed in the Company Form (MU1) in NMLS. 30 days' notice must be provided for this change.</p> <p>Change in Control/Ownership: Each new control person that is a Direct or Indirect Owner of 10% or more must be separately identified and included in the Direct Owners and Executive Officers and Indirect Owners sections of the NMLS Form MU1.</p> | NMLS |

| Complete | GA Installment Lender License Addition or Modification of Direct Owners/Indirect Owners Amendment Items | Submitted via... |
|--------------------------|--|---|
| <input type="checkbox"/> | Change in Control: \$500 The Change in Control/Ownership fee should be paid through NMLS with an Agency Fee Invoice and is NOT REFUNDABLE. The Agency Fee Invoice will be initiated by our Department at the time we begin our review of ACN in NMLS. | NMLS (Agency Fee Invoice) |
| <input type="checkbox"/> | FBI Criminal Background Check for MU2 Individual: \$36.25 per person. | NMLS (Filing submission) |
| <input type="checkbox"/> | MU2 Individual FBI Criminal Background Check Requirements: Owners, executive officers, and other persons with control are required to authorize an FBI criminal background check (CBC) through NMLS. <i>Direct Owners</i> <ul style="list-style-type: none"> 10% or more direct ownership in the licensee <i>Executive Officers</i> <ul style="list-style-type: none"> All individuals added as executive officers are required to complete a CBC. <i>Indirect Owners</i> <ul style="list-style-type: none"> 10% or more indirect ownership in the licensee <p>A criminal background increases the difficulty of making a favorable finding on an application. The Department shall not issue a license if the applicant or any of its MU2/Control Persons has been convicted of a felony and did not obtain a pardon or other remedy pursuant to O.C.G.A. Section 7-3-42(a).</p> <p>The Department reviews criminal background checks on all ultimate equitable owners, executive officers, and other persons with control of Georgia installment lenders prior to approval of a new application.</p> <p>After authorizing an FBI criminal background check through the submission of the Company Form (MU1) and Individual Form (MU2), you must schedule an appointment to be fingerprinted if new prints are required.</p> <p>See the Criminal Background Check section of the NMLS Resource Center for more information.</p> <p>Note: If you are able to 'Use Existing Prints' to process the FBI criminal background check, you DO NOT have to schedule an appointment. NMLS will automatically submit the fingerprints on file.</p> | NMLS |
| <input type="checkbox"/> | State Background Check Authorization: Individuals identified as control persons listed on the Company Form (MU1) are required to upload an executed original copy of the <i>Background Check Authorization Form</i> . Click here to access the GA Background Authorization form. | Upload in NMLS: under the Document Type <u>State Background Check Authorization</u> in the <i>Document Uploads</i> section of the Individual |

| Complete | GA Installment Lender License Addition or Modification of Direct Owners/Indirect Owners Amendment Items | Submitted via... |
|--------------------------|--|---|
| | This document should be named <i>[State Abbreviation] – BC Authorization</i> . | Form (MU2). |
| <input type="checkbox"/> | Credit Report: \$15 per control person. | NMLS (Filing submission) |
| <input type="checkbox"/> | Credit Report: Ultimate equitable owners, executive officers, and other persons with control are required to authorize a credit report through NMLS. Such individuals will be required to complete an Identity Verification Process (IDV) along with an individual attestation before a license request for your company can be filed through NMLS. | NMLS |
| <input type="checkbox"/> | Credit Report Explanations: Any credit report filed with this Department containing tax liens, judgments, bankruptcies, and/or charged off accounts will likely cause the processing of the application to be delayed or possibly cause the application to be denied. Outstanding derogatory credit issues or bankruptcies, which have not been discharged, will require satisfactory explanation. This document should be named <i>Credit Report Explanations – Sub Name – Document Creation Date</i> . | Upload in NMLS: under the Document Type <u>Credit Report Explanations</u> in the <i>Document Uploads</i> section of the Individual Form (MU2). |
| <input type="checkbox"/> | Description of the Transaction: For changes in ownership, applicants should submit a written statement giving details of the nature and scope of the proposed acquisition/change in ownership and the anticipating closing date must be submitted related to this change type. This document should be named <i>ACN - [State Abbreviation] – [Document Type]</i> . | Upload in NMLS under the Document Type <u>ACN Related Documents</u> in the <i>Document Uploads</i> section of the Company Form (MU1). |
| <input type="checkbox"/> | Ownership/Organizational Chart: Submit a chart showing the total ownership structure <u>before and after</u> the proposed change is effective of: <ul style="list-style-type: none">• Direct Owners• Indirect Owners• Subsidiaries and Affiliates of the applicant/licensee These documents should be named <i>ACN - [State Abbreviation] – Pre-Change Organization Chart</i> and <i>ACN - [State Abbreviation] – Post-Change Organization Chart</i> . | Upload in NMLS: under <u>ACN Related Documents</u> in the <i>Document Uploads</i> section of the Company Form (MU1). |
| <input type="checkbox"/> | Signed Sale Authorization: A Signed and notarized copy of the form by both the acquiring and selling parties must be submitted related to this change type. Click to download the Signed Sale Authorization form Note: Both parties to the transaction MUST SIGN and form must be notarized. | Upload in NMLS: under the Document Type <u>ACN Related Documents</u> in the |

| Complete | GA Installment Lender License Addition or Modification of Direct Owners/Indirect Owners Amendment Items | Submitted via... |
|----------|---|--|
| | This document should be named <i>ACN – [Document Type]</i> . | <i>Document Uploads</i> section of the Company Form (MU1). |

| Complete | GA Installment Lender License Addition or Modification of Affiliates/Subsidiaries Amendment Items | Submitted via... |
|--------------------------|---|------------------|
| <input type="checkbox"/> | Addition or Modification of Affiliates/Subsidiaries: Submit an amendment for an addition or change in Affiliates/Subsidiaries within the Company Form (MU1) in NMLS. | NMLS |

| Complete | GA Installment Lender License Change of Disclosure Question(s) Amendment Items | Submitted via... |
|--------------------------|---|---|
| <input type="checkbox"/> | Change of Disclosure Question(s): Submit an amendment for a change to Disclosure Question response(s) through the Company Form (MU1) in NMLS. | NMLS |
| <input type="checkbox"/> | Changing a Response from No to Yes: Provide a complete and detailed explanation and document upload for each response that changes from “No” to “Yes” for company or each control person. See the Company Disclosure Explanations Quick Guide for instructions. | Upload in NMLS in the <i>Disclosure Explanations</i> section of the Company Form (MU1) or Individual Form (MU2). |
| <input type="checkbox"/> | Changing a Response from Yes to No: When changing a Disclosure Question response from Yes to No, you will be required to remove the question from the associated Disclosure Explanation and provide an Amendment Reason. You may select “Add Explanation for “No” Responses” and provide an explanation for each response that changes from “Yes” to “No” for company or each control person. You may also upload a document (PDF) related to the explanation. See the Company Disclosure Explanations Quick Guide for instructions. | NMLS |