CHECKLIST SECTIONS

- General Information
- License Fees
- Requirements Completed in NMLS
- Requirements/Documents Uploaded in NMLS
- Requirements Submitted Outside of NMLS

GENERAL INFORMATION

Who Is Required to Have This Registration?

Providers of Debt Management Services to individuals in Nevada must be registered as a Debt Management Services Company with the Nevada Financial Institutions Division.

"Debt-management services" defined. "Debt-management services" means services as an intermediary between an individual and one or more creditors of the individual for the purpose of obtaining concessions and includes credit counseling, the development and implementation of debt-management plans and debt settlement services. The term does not include:

- 1. Legal services provided in an attorney-client relationship by an attorney licensed or otherwise authorized to practice law in this State;
- 2. Accounting services provided in an accountant-client relationship by a certified public accountant licensed to provide accounting services in this State; or
- 3. Financial-planning services provided in a financial planner-client relationship by a member of a financial-planning profession whose members the Commissioner, by regulation, determines are:
 - (a) Licensed by this State;
 - (b) Subject to a disciplinary mechanism;
 - (c) Subject to a code of professional responsibility; and
 - (d) Subject to a continuing education requirement.

NRS 676A.300 Registration required.

- 1. Except as otherwise provided in subsection 2, a provider may not provide debt-management services to an individual who it reasonably should know resides in this State at the time it agrees to provide the services, unless the provider is registered under this chapter.
- 2. If a provider is registered under this chapter, subsection 1 does not apply to an employee or agent of the provider.
 - 3. The Commissioner shall maintain and publicize a list of the names of all registered providers.

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Activities Authorized Under This License

This license authorizes the following activities...

- Debt Management/Credit Counseling
- o Debt Negotiation
- Debt Settlement/Debt Adjuster

The Nevada Financial Institutions Division does issue paper licenses for this license type.

Document Uploads Guidance

Documents that must be uploaded to the *Document Uploads* section of the Company Form (MU1) in NMLS are indicated in the checklist below. When uploading documents:

- Follow the guidance in <u>Document Upload Descriptions and Examples</u>.
- Only upload documents relevant to the company application.
- Only upload documents where there is a selectable document category. If inappropriate documents
 are uploaded that should not be, you will be contacted by your regulator and asked to remove them
 from NMLS.
- Do not upload the same company documents multiple times. Generally, unless the document is state-specific, if the document has already been uploaded for another state, a new upload is not required unless changes have been made.
- If a document previously uploaded has been revised, delete the old document and replace it with the new document (history of the old document will remain in NMLS).
- For state-specific documents (e.g., Surety Bonds), be sure to indicate the applicable state.

Helpful Resources

- Company Form (MU1) Filing Instructions
- Document Upload Descriptions and Examples
- Individual Form (MU2) Filing Quick Guide
- Financial Statements Quick Guide
- Payment Options Quick Guide
- License Status Definitions Quick Guide

Agency Contact Information

Contact <u>Nevada Financial Institutions Division</u> licensing staff by phone at <u>(775) 684-2970</u> or send your questions via email to <u>FIDLicensing@fid.state.nv.us</u> for additional assistance.

For U.S. Postal Service:

Nevada Financial Institutions Division Attn: Application Processing 1830 E. College Pkwy, Ste 100 Carson City, NV 89706 For Overnight Delivery:

Nevada Financial Institutions Division Attn: Application Processing 1830 E. College Pkwy, Ste 100 Carson City, NV 89706

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.

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Internal Use Only

NMLS ID Number	
Applicant Legal	
Name	

LICENSE FEES - Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE.		
Complete	NV-FID Debt Management Services Registration	Submitted via
	NV-FID License/Registration Fee: \$1,000.00 NV-FID Application Fee: \$2,000.00 NMLS Initial Processing Fee: \$0	NMLS (Filing submission)
	Credit Report for Control Persons: \$15 per control person.	NMLS (Filing submission)
	FBI Criminal Background Check for MU2 Individual: \$36.25 per person.	NMLS (Filing submission)

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REQUIREMENTS COMPLETED IN NMLS			
Complete	NV-FID Debt Management Services Registration	Submitted via	
	Submission of Company Form (MU1): Complete and submit the Company Form (MU1) in NMLS. This form serves as the application for the license/registration through NMLS.	NMLS	
	Financial Statements: Upload an audited financial statement prepared by a Certified Public Accountant in accordance with Generally Accepted Accounting Principles for each of the 2 years immediately preceding the application. If the company has not been in operation for 2 years, the company must provide audited statements for the period of its existence.	NMLS	
Ш	Financial statements should include a balance sheet, income statement, and statement of cash flows and all relevant notes thereto.		
	Note: Financial statements are uploaded separately under the Filing tab and <i>Financial Statement</i> submenu link. See the <u>Financial Statements Quick Guide</u> for instructions.		
	Other Trade Name: If operating under a name that is different from the licensee's legal name, that name ("Trade Name", "Assumed Name" or "DBA") must be listed under the Other Trade Names section of the Company Form (MU1). Nevada does not limit the number of other trade names.	Upload in NMLS: under the Document Type Trade Name/Assumed Name Registration Certificates in the Document Uploads section of the Company	
	If operating under an "Other Trade Name", upload the fictitious firm name filing for each Nevada county in which the company conducts business. At least one county filing must be submitted. If the company is doing business in multiple counties, you should contact those counties to ensure the company meets the requirements for filing in that county.		
	This document should be named <i>Nevada Trade Name – Fictitious Firm Name filings</i>	Form (MU1).	
	Resident/Registered Agent: The Resident/Registered Agent must be listed under the <i>Resident/Registered Agent</i> section of the Company Form (MU1)	NMLS	
	Primary Contact Employees : The following individuals must be entered into the <i>Contact Employees</i> section of the Company Form (MU1).	NMLS	
	 Primary Company Contact. Primary Consumer Complaint Contact. 		

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	Primary Contact Employees: The following individuals must be entered into the Contact Employees section of the Company Form (MU1). 1. Primary Company Contact. 2. Primary Consumer Complaint Contact. Non-Primary Contact Employees: The Financial Institutions Division requires that an individual(s) be identified as a Non-Primary Contact for the following areas. These contacts must be listed in the Contact Employees section of the Company Form (MU1). • Pre-Exam Contact	NMLS
	Bank Account: Bank account information must be completed for the company's Operating and Trust accounts in the Bank Account section of the Company Form (MU1). The following bank account information must be completed for each account in the Bank Account section of the Company Form (MU1): Name of Bank Title/Nickname of Account Last Four Digits of Account Number	NMLS
	Disclosure Questions: Provide a complete and detailed explanation and document upload for each "Yes" response to Disclosure Questions made by the company or related control persons (MU2). See the Company Disclosure Explanations Quick Guide for instructions.	Upload in NMLS in the Disclosure Explanations section of the Company Form (MU1) or Individual Form (MU2).
Note	Qualifying Individual: The <i>Qualifying Individual</i> section is not required to be completed for NV-FID on the Company Form (MU1).	N/A
	Control Person (MU2) Attestation: Complete the Individual Form (MU2) in NMLS. This form must be attested to by the applicable control person before it is able to be submitted along with the Company Form (MU1).	NMLS
	Credit Report: Individuals in a position of control are required to authorize a credit report through NMLS. 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

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MU2 Individual FBI Criminal Background Check Requirements: The following Individuals, as specified below, on the Company Form (MU1) are required to authorize an FBI criminal background check (CBC) through NMLS.	NMLS
Direct Owners	
Any stockholder, partner or member	
Executive Officers	
 Each director, officer or manager, control person or responsible person and any individual that has authority to initiate transactions in the trust account. 	
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.	
See the <u>Criminal Background Check section</u> of the NMLS Resource Center for more information.	
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.	
Electronic Surety Bond: Electronic Surety Bond via NMLS in the amount of \$50,000 furnished and submitted by a surety company authorized to conduct business in Nevada.	Electronic Surety Bond in NMLS
See the <u>ESB Adoption Table</u> and the <u>ESB for NMLS Licensees page</u> of the NMLS Recourse Center for more information.	
Note : Surety bonds submitted via the <i>Document Uploads</i> section will not satisfy this requirement.	

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REQUIREMENTS/DOCUMENTS UPLOADED IN NMLS			
Complete	NV-FID Debt Management Services Registration	Submitted via	
	Accreditation: Upload evidence of the company's independent accreditation. This document should be named Accreditation Certificate.	Upload in NMLS: under the Document Type Additional Requirements in the Document Uploads section of the Company Form (MU1).	
	Evidence of Insurance and Insurer's Rating: Provide evidence of insurance in the amount of \$250,000 against the risks of dishonesty, fraud, theft and other misconduct on the part of the applicant or a director, employee or agent of the applicant issued by an insurance company authorized to do business in this State and rated at least "A" or equivalent by a nationally recognized rating organization approved by the Commissioner (you must include evidence of the rating); • With a deductible not exceeding \$5,000; • Payable for the benefit of the applicant, this State and individuals who are residents of this State, as their interests may appear; and • Not subject to cancellation by the applicant or the insurer until 60 days after written notice has been given to the Commissioner; This document should be named NV Evidence of Insurance.	Upload in NMLS: under the Document Type Additional Requirements in the Document Uploads section of the Company Form (MU1).	
	Evidence of Tax-Exempt Status: Submit documentation to verify the company's tax-exempt status, if applicable. This document should be named NV Tax Exempt Status.	Upload in NMLS: under the Document Type Additional Requirements in the Document Uploads section of the Company Form (MU1).	

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	Lance Agreement / Droof of Ownership, Submit a convent the event of the	Upload in NMLS:
	Lease Agreement/Proof of Ownership: Submit a copy of the executed lease for the proposed licensed location. The lease must meet these requirements:	under the Document
	Be in the name of the applicant.	Type <u>Additional</u> Requirements in the
	Be a commercial location.	Document Uploads
	Have a minimum 12-month term.	section of the Company Form (MU1).
	Be a physical office space and not a virtual office.	1 01111 (1110 2).
	If the lease is in another entity's name, the lease must explicitly permit the applicant to operate from the location or the applicant will need to submit a letter from the landlord that acknowledges the applicant's authority to operate from the leased space.	
	This document should be named [Company Legal Name] Lease. If the landlord letter is required, that document should also be submitted and should be named [Company Legal Name] Landlord Acknowledgement.	
	Municipal Business License: Submit a copy of any required municipal business	Upload in NMLS:
	license(s) for the proposed, licensed location. This includes any required city or county licenses, occupancy certificates or business tax receipts.	under the Document Type <u>Additional</u> <u>Requirements</u> in the
	This document should be named [Company Legal Name] Local Licenses.	Document Uploads section of the Company Form (MU1).
	Nevada Application Information Disclosure Questionnaire: Submit a completed copy of the Application Information Disclosure form. The form can be found here and on the NFID website at www.fid.nv.gov .	Upload in NMLS: under the Document Type Additional Requirements in the
	This document should be named NV Application Information Disclosure	Document Uploads section of the Company Form (MU1).
	Business Plan: Upload a business plan outlining the following information:	Upload in NMLS: under
_	Marketing strategies	the Document Type Business Plan in the
	Products/Services	Document Uploads
	Target markets	section of the Company Form (MU1).
	Schedule of Fees and Charges for residents of Nevada	
	This document should be named [Company Legal Name] Business Plan.	
	Note: If the existing uploaded business plan already includes the above information, an additional document does not need to be uploaded. A company should only upload a single business plan. If state-specific material is required, this information should be added to the existing uploaded business plan.	

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Nevada State Business License and Certificate of Registration: Upload the following state-issued and approved documents from the Nevada Secretary of State that demonstrates authorization to do business in Nevada: 1) Nevada State Business License 2) If formed outside Nevada, submit the Foreign Corporate Qualification or Certificate of Registration. This document should be named Nevada – NV SOS Documentation	Upload in NMLS: under the Document Type Certificate of Authority/Good Standing Certificate in the Document Uploads section of the Company Form (MU1).
Counselor Certifications: Upload a copy of each counselor's certification as a certified counselor or certified debt specialist. Include a list of all counselors with dates of hire. This document should be named Counselor Certificates.	Upload in NMLS: under the Document Type Company Staffing and Internal Policies in the Document Uploads section of the Company Form (MU1).
Debt Management Agreement: Upload a Nevada-specific written contract, plan or agreement between a debt management provider and a consumer for performance of debt management services. One agreement uploaded per State. This document should be named NV Debt Management Agreement.	Upload in NMLS: under the Document Type Debt Management Agreement in the Document Uploads section of the Company Form (MU1).
Financial Analysis and Budget Plan: Upload copies of the financial analysis and budget plan used to evaluate the financial condition of individuals. This document should be named Nevada Financial Analysis and Budget Plan	Upload in NMLS: under the Document Type Document Samples in the Document Uploads section of the Company Form (MU1).
Education Programs: Upload a description of the three most commonly used educational programs that the applicant provides or intends to provide to individuals who reside in this State and a copy of any materials used or to be used in those programs This document should be named Educational Program Materials.	Upload in NMLS: under the Document Type Document Samples in the Document Uploads section of the Company Form (MU1).

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Formation Documents: Determine classification of applicant's legal status and submit a State certified copy of the requested applicable documentation detailed below. Original formation documents and all subsequent amendments, thereto including a list of any name changes.

Sole Proprietor

State business license

Unincorporated Association:

• By-Laws or constitution (including all amendments).

General Partnership:

• Partnership Agreement (including all amendments).

Limited Liability Partnership:

- Certificate of Limited Liability Partnership; and
- Partnership Agreement (including all amendments).

Limited Partnership:

- Certificate of Limited Partnership; and
- Partnership Agreement (including all amendments).

Limited Liability Limited Partnership:

- Certificate of Limited Liability Limited Partnership; and
- Partnership Agreement (including all amendments).

Limited Liability Company ("LLC"):

- Articles of Organization (including all amendments);
- Operating Agreement (including all amendments);
- IRS Form 2553 or IRS Form 8832 if S-corp treatment elected; and
- LLC resolution if authority not in operating agreement.

Corporation:

- Articles of Incorporation (including all amendments);
- By-laws (including all amendments), if applicable;
- Shareholder Agreement (including all amendments), if applicable;
- IRS Form 2553 if S-corp treatment elected; and
- Corporate resolution if authority to complete application not in By-Laws or Shareholder Agreement, as amended, as applicable.

Not for Profit Corporation

- Documents requested of a Corporation; and
- Proof of nonprofit status
 - o Internal Revenue Service ("IRS") 501(c)(3) designation letter; or
 - statement from a State taxing body or the State attorney general certifying that: (i) the entity is a nonprofit organization operating within the State; and (ii) no part of the entity's net earnings may lawfully benefit any private shareholder or individual; or
 - entity's certificate of incorporation or similar document if it clearly establishes the nonprofit status of the applicant; or
 - Any of the three preceding items described, if that item applies to a
 State or national parent organization, together with a statement by
 the State or parent organization that the applicant is a local nonprofit
 affiliate.

Trust (Statutory)

- Certificate of Trust; and
- Governing instrument (all amendments).

Upload in NMLS: under the Document Type Formation Document in the Document Uploads section of the Company Form (MU1).

This document should be named Formation Documentation [Date of Creation (MM-DD-YYYY)].

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Management Chart: Submit a Management chart displaying the applicant's directors, officers, and managers (individual name and title). This document should be named [Company Legal Name] Management Chart. Note: If the existing uploaded management chart already includes the above information, an additional document does not need to be uploaded. A company should only upload a single management chart.	Upload in NMLS: under the Document Type Management Chart in the Document Uploads section of the Company Form (MU1).
Organizational Chart/Description: Submit a chart showing (or a description which includes) the percentage of ownership of: • Direct Owners (total direct ownership percentage must equate to 100%) • Indirect Owners • Subsidiaries and Affiliates of the applicant/licensee This document should be named [Company Legal Name] Organizational Chart – Description. Note: If the existing uploaded Organizational Chart/Description already includes the above information, an additional document does not need to be uploaded. A company should only upload a single management chart.	Upload in NMLS: under the Document Type Organizational Chart/Description in the Document Uploads section of the Company Form (MU1).
Trust Account Authorization: Submit authorization allowing examination of trust accounts used for the purpose of holding funds belonging to others. May require multiple documents when more than one account exists. Upload each account authorization separately. Note: This authorization must be submitted if you either hold funds or if you arrange the location funds are held. This document should be named [License Type]; [Indicate State]; [last 5 digits of account number]. (eg. Debt Management, NV, xxxxx).	Upload in NMLS: under the Document Type Trust Account Authorization in the Document Uploads section of the Company Form (MU1).
Trust Account Third Party Agreement: If the applicant arranges for another party to hold the program funds, submit a copy of the third party agreement. This document should be named Debt Management NV third-party agreement.	Upload in NMLS: under the Document Type Trust Account Authorization in the Document Uploads section of the Company Form (MU1).

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INDIVIDUAL	INDIVIDUAL (MU2) DOCUMENTS UPLOADED IN NMLS			
	Credit Report Explanations: If applicable, submit a line by line, detailed letter of explanation of all derogatory credit accounts along with proof of payoffs, payment arrangements and evidence of payments made, or evidence of any formal dispute filed (documents must be dated). Accounts to address include, but are not limited to: collections items, charge offs, accounts currently past due, accounts with serious delinquencies in the last 3 years, repossessions, loan modifications, etc. Note: Items regarding bankruptcy, foreclosure actions, outstanding judgments or liens, or delinquent child support payments should be addressed in the Disclosure Explanations section of your Individual Form (MU2). This document should be named Credit Report Explanations – Sub Name –	Upload in NMLS: under the Document Type Credit Report Explanations in the Document Uploads section of the Individual Form (MU2).		
	Document Creation Date.			
	Legal Name/Status Documentation: Upload a copy of a state-issued driver's license, passport, or other government-issued photo ID. This document should be named [Document Name] (Ex. Driver's License, Passport, etc.).	Upload in NMLS: under the Document Type Legal Name/Status Documentation in the Document Uploads section of the Individual Form (MU2).		
	Personal Financial Statement: The following individuals, as specified below, on the Company Form (MU1) are required to upload a personal financial statement listing all material assets and liabilities for the individual. Direct Owners • All direct owners, regardless of ownership percentage. Executive Officers • Corporate Officers (President, Vice President, Secretary, Treasurer) • Executive Officers (Chief Executive Officer, Chief Financial Officer, Chief Operations Officer, etc) • Any other individual that has possession, directly or indirectly, of the power to direct or cause the direction of the management and policies of the company. Note: The individual can submit this information on another state's form, an interagency form or Nevada's Personal Financial Questionnaire form, which can be found on the Nevada Financial Institutions Division website. They can also submit this in any other format that includes all required information.	Upload in NMLS: under the Document Type Personal Financial Statement in the Document Uploads section of the Individual Form (MU2). This section on the MU2 uploads is viewable only to authorized individuals. The information cannot be viewed by the company after submission and only authorized personnel at the selected state agency can view the information.		
	This document should be named NV – Personal Financial Statement.			

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REQUIREMENTS SUBMITTED OUTSIDE OF NMLS

Complete NV-FID Debt Management Services Registration

Submitted via...

No items are required to be submitted outside of NMLS for this license/registration at this time.

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