



Kansas Supervised Loan License New Application Checklist (Company)

CHECKLIST SECTIONS

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GENERAL INFORMATION

A supervised loan is defined in Kansas as a loan to which the annual percentage rate exceeds 12% per year made by a person regularly engaged in the business of making loans in which: the debtor is a person other than an organization; the debt is incurred primarily for personal, family, or household purpose; either the debt is payable by written agreement in more than four installments or a finance charge is made; and either the amount financed does not exceed \$25,000.

Who Is Required to Have This License?

The principal place of business for any entity making supervised loans involving Kansas consumers; taking assignments of and directly or indirectly, including through the use of servicing contracts or otherwise, undertaking collection of payments from debtors arising from supervised loans involving Kansas consumers; or taking assignments of and directly or indirectly, including through the use of servicing contracts or otherwise, enforcing rights against debtors arising from supervised loans involving Kansas consumers.

Any entity desiring to conduct consumer credit business with Kansas consumers under the Kansas Uniform Consumer Credit Code must file a company new application through NMLS for their principal place of business. All additional locations where consumer credit business is conducted with Kansas consumers whether located in Kansas or not must be separately authorized and will require a branch new application through NMLS to obtain a branch license

Who does not need this license?

Entities meeting the definition of a supervised financial organization or the federal deposit insurance corporation acting in its corporate capacity or as receiver (K.S.A. 16a-2-301).

"Supervised financial organization" means a person, other than an insurance company or other organization primarily engaged in an insurance business: (a) Organized, chartered, or holding an authorization certificate under the laws of any state or of the United States which authorize the person to make loans and to receive deposits, including a savings, share, certificate or deposit

account; and (b) subject to supervision by an official or agency of such state or of the United States (K.S.A. 16a-1-301(44)).

Entities engaged solely in non-depository mortgage business and licensed as mortgage companies per the Kansas Mortgage Business Act (K.S.A. 9-2201 et seq.) and not engaged in consumer credit business involving non-real estate collateral and not engaged in unsecured consumer credit business (K.S.A. 9-2203(d)).

Pre-requisites for license applications?

Each licensee or applicant for a supervised loan license shall submit and maintain a surety bond in the following amount:

- \$100,000 for the first licensed place of business, plus an additional \$25,000 for each additional licensed place of business to a maximum of \$300,000.

Criminal background check and credit check are required for each direct owner, officer, and partner of the licensee or applicant, including but not limited to all individuals listed in the application section Direct Owners and Executive Officers, which are presumed to be control persons.

A social security number is requested pursuant to K.S.A. 74-148, K.S.A. 9-2201, et seq., K.S.A. 16a-1-101 et seq., and/or K.S.A. 50-1116, et seq. The social security number may be used for the following purposes: as a means of identification, to complete an investigation into your criminal history and financial background, to verify information in your application, to verify licensure in another state, identification purposes in national databases (including the Nationwide Mortgage Licensing System (NMLS)), testing and examination identification, to collect monies through the State of Kansas Setoff Program or through a contracted collection agency or law firm. The social security number may be shared with any agency of the United States, any state agency, any governmental agency, or any associations representing governmental agencies which are necessary or beneficial to the administration of the Kansas Mortgage Business Act, K.S.A. 9-2201, et seq., the Uniform Consumer Credit Code, K.S.A. 16a-1-101, et. seq., or the Credit Services Organization Act, K.S.A. 50-1116, et seq.

Activities Authorized Under This License

This license authorizes the following activities...

Payday lending - storefront	Private student loan servicing
Payday lending - online	Other – consumer finance
Consumer loan lending	First party debt collection
Consumer loan servicing	Third party debt collection
Title lending	Passive debt buying
Refund anticipation lending	Active debt buying
Premium finance company activities	Non-mortgage loan modifications
Private student loan lending	Other - debt

Kansas Office of the State Bank Commissioner (OSBC) issues licenses electronically 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 [Document Upload Descriptions and Examples](#).
- 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

The regulator will review the filing and all required documents and communicate with you through NMLS. To review your status or see detailed communication from the regulator, click on the Composite View tab and then click on View License/Registration in NMLS.

Contact [Kansas Office of the State Bank Commissioner](#) supervised loan licensing staff at (785)296-6969 or send your questions via email to Licensing@osbckansas.org for additional assistance.

For U.S. Postal Service & Overnight Delivery:

*Kansas Office of the State Bank Commissioner
Consumer and Mortgage Lending Division
700 SW Jackson St., Suite 300
Topeka, KS 66603*

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.

NMLS ID Number		
Licensee Legal Name		
LICENSE FEES - Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE.		
Complete	KS Supervised Loan License	Submitted via...
<input type="checkbox"/>	OSBC Application Fee: \$650 NMLS Initial Processing Fee: \$100	NMLS (Filing submission)
<input type="checkbox"/>	Credit Report for Control Persons: \$15 per control person.	NMLS (Filing submission)
<input type="checkbox"/>	FBI Criminal Background Check for MU2 Individual: \$36.25 per person.	NMLS (Filing submission)

REQUIREMENTS COMPLETED IN NMLS		
Complete	KS Supervised Loan License	Submitted via...
<input type="checkbox"/>	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
<input type="checkbox"/>	Branch Location(s): If the Company Form (MU1) indicates business is conducted from branch offices, a Branch Form (MU3) must be submitted for each location doing business with Kansas residents, regardless of where the branch is located.	NMLS
<input type="checkbox"/>	Financial Statements: Upload most recent financial statements, including a balance sheet, for the most recent fiscal year. The financial statements may be unaudited. Note: Financial statements are uploaded separately under the Filing tab and <i>Financial Statement</i> submenu link. See the Financial Statements Quick Guide for instructions.	NMLS

<input type="checkbox"/>	<p>Other Trade Name: If operating under a name that is different from the applicant’s legal name, that name (“Trade Name”, “Assumed Name” or “DBA”) must be listed under the <i>Other Trade Names</i> section of the Company Form (MU1). OSBC does not limit the number of other trade names.</p>	<p>NMLS</p>
<input type="checkbox"/>	<p>Resident/Registered Agent: The Resident/Registered Agent must be listed under the <i>Resident/Registered Agent</i> section of the Company Form (MU1).</p>	<p>NMLS</p>
<input type="checkbox"/>	<p>Primary Contact Employees: The following individuals must be entered into the <i>Contact Employees</i> section of the Company Form (MU1).</p> <ol style="list-style-type: none"> 1. Primary Company Contact. 2. Primary Consumer Complaint Contact. 	<p>NMLS</p>
<input type="checkbox"/>	<p>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).</p>	<p>NMLS</p>
<input type="checkbox"/>	<p>Credit Report: The individuals listed as Direct Owners and Executive Officers on the Company Form (MU1) 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).</p>	<p>NMLS</p>

	<p>MU2 Individual FBI Criminal Background Check Requirements: The individuals listed as Direct Owners and Executive Officers on the Company Form (MU1) are required to authorize a FBI criminal background check (CBC) through NMLS.</p> <p>After authorizing a 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>Please note that non-U.S. Citizens who are required to authorize a CBC through NMLS and have not resided in the U.S. for at least 10 years, must have an investigative background report prepared by an acceptable search firm in lieu of authorizing a CBC in NMLS. See the Requirements Submitted Outside of NMLS section below for additional requirements.</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
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REQUIREMENTS/DOCUMENTS UPLOADED IN NMLS

Complete	KS Supervised Loan License	Submitted via...
<input type="checkbox"/>	<p>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).</p> <p>See the Company Disclosure Explanations Quick Guide for instructions.</p>	<p>Upload in NMLS in the <i>Disclosure Explanations</i> section of the Company Form (MU1) or Individual Form (MU2).</p>
<input type="checkbox"/>	<p>Business Plan: Upload a business plan outlining the following information:</p> <ul style="list-style-type: none"> • Marketing strategies • Products • Target markets • Fee schedule • Operating structure the applicant intends to employ. <p>This document should be named <i>[Company Legal Name] Business Plan</i>.</p> <p>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.</p>	<p>Upload in NMLS: under the Document Type <u>Business Plan</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p>
<input type="checkbox"/>	<p>Certificate of Authority/Good Standing Certificate: Upload a State-issued and approved document (typically by the Secretary of State’s office) that demonstrates authorization to do business in Kansas.</p> <p>This document should be named <i>[[State prefix] Certificate of Authority OR [State prefix] Certificate of Good Standing]</i>.</p>	<p>Upload in NMLS: under the Document Type <u>Certificate of Authority/Good Standing Certificate</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p>

<p>□</p>	<p>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.</p> <p>Unincorporated Association:</p> <ul style="list-style-type: none"> • By-Laws or constitution (including all amendments). <p>General Partnership:</p> <ul style="list-style-type: none"> • Partnership Agreement (including all amendments). <p>Limited Liability Partnership:</p> <ul style="list-style-type: none"> • Certificate of Limited Liability Partnership; and • Partnership Agreement (including all amendments). <p>Limited Partnership:</p> <ul style="list-style-type: none"> • Certificate of Limited Partnership; and • Partnership Agreement (including all amendments). <p>Limited Liability Limited Partnership:</p> <ul style="list-style-type: none"> • Certificate of Limited Liability Limited Partnership; and • Partnership Agreement (including all amendments). <p>Limited Liability Company (“LLC”):</p> <ul style="list-style-type: none"> • 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. <p>Corporation:</p> <ul style="list-style-type: none"> • 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. <p>Not for Profit Corporation</p> <ul style="list-style-type: none"> • Documents requested of a Corporation; and • Proof of nonprofit status <ul style="list-style-type: none"> ○ 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. <p>Trust (Statutory)</p> <ul style="list-style-type: none"> • Certificate of Trust; and • Governing instrument (all amendments). 	<p>Upload in NMLS: under <u>Formation Document</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p> <p>This document should be named <i>Formation Documentation [Date of Creation (MM-DD-YYYY)]</i>.</p>
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<input type="checkbox"/>	<p>Management Chart: Submit a Management chart displaying the applicant’s directors, officers, and managers (individual name and title). This document should be named <i>[Company Legal Name] Management Chart</i>.</p> <p>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.</p>	<p>Upload in NMLS: under <u>Management Chart</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p>
<input type="checkbox"/>	<p>Organizational Chart/Description: Submit a chart showing (or a description which includes) the percentage of ownership of:</p> <ul style="list-style-type: none"> • Direct Owners (total direct ownership percentage must equate to 100%) • Indirect Owners • Subsidiaries and Affiliates of the applicant/licensee <p>This document should be named <i>[Company Legal Name] Organizational Chart – Description</i>.</p> <p>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 organizational chart.</p>	<p>Upload in NMLS: under <u>Organizational Chart/Description</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p>
<input type="checkbox"/>	<p>Electronic Surety Bond: Electronic Surety Bond via NMLS in the amount as described below furnished and submitted by a surety company authorized to conduct business in Kansas.</p> <p>Surety Bond Amount: Licensees or applicants must provide a proper surety bond in the amount of \$100,000 for the first licensed place of business, plus an additional \$25,000 for each additional licensed place of business, up to a maximum of \$300,000.</p> <p>See the ESB Adoption Table and the ESB for NMLS Licensees page of the NMLS Recourse Center for more information.</p> <p>Note: Surety bonds submitted via the <i>Document Uploads</i> section will not satisfy this requirement.</p>	<p>Electronic Surety Bond in NMLS</p>

REQUIREMENTS SUBMITTED OUTSIDE OF NMLS		
Complete	KS Supervised Loan License	Submitted via...
<input type="checkbox"/>	<p>Branch Locations: If business is not conducted with Kansas consumers from any other location(s) referred to in the Company Form (MU1), then send a written explanation to the OSBC.</p>	<p>Email to Licensing@osbckansas.org OR Mail to OSBC</p>
<input type="checkbox"/>	<p>Credit Notification Filing: A Credit Notification Filing is required by the Kansas Uniform Consumer Credit Code (K.S.A. 16a-6-201) for all creditors who enter into consumer credit transactions (loans, credit sales or leases), or taking assignments of and undertaking collection of payments from consumers arising from these transactions. All Supervised Loan Licensees must file Credit Notification and pay prescribed fees.</p> <p>Your USER ID and password will be provided via a NMLS Notification once the application has been reviewed by the OSBC.</p>	<p>Email to Licensing@osbckansas.org</p>
<input type="checkbox"/>	<p>Hiring Practices and Personnel Screening: Provide the procedures the licensee or applicant uses when hiring its employees or screening personnel.</p>	<p>Email to Licensing@osbckansas.org OR Mail to OSBC</p>
<input type="checkbox"/>	<p>Business in Kansas: Is the applicant currently conducting business in Kansas and/or with any Kansas consumers?</p> <ul style="list-style-type: none"> • Indicate how long the applicant has been conducting business in Kansas, and • Provide the volume of business in Kansas in both dollars and number of transactions per year. 	<p>Email to Licensing@osbckansas.org OR Mail to OSBC</p>