



ND Money Transmitter License Amendment Checklist (Company)

CHECKLIST SECTIONS

- [General Information](#)
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GENERAL INFORMATION

Instructions

When making changes to your record in NMLS, North Dakota requires advance notification for some changes. See the checklist below for details. A licensee shall give the commissioner written notice of a proposed change of control within fifteen days after learning of the proposed change of control and request approval of the acquisition.

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 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](#)

Agency Contact Information

Contact ND Dept. of Financial Institutions Non-Depository Division by phone at (701) 328-9933 or send your questions via email to dfi@nd.gov for additional assistance.

For U.S. Postal Service:

*ND Dept. of Financial Institutions
Non-Depository Division
1200 Memorial Hwy
Bismarck, ND 58504*

For Overnight Delivery:

*ND Dept. of Financial Institutions
Non-Depository Division
1200 Memorial Hwy
Bismarck, ND 58504*

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.

AMENDMENTS

- [Change of Legal Name](#)
 - Change of Legal Name: \$0
- [Change of Main Address](#)
 - Change of Main Address: \$0
- [Addition or Modification of Other Trade Name](#)
 - Addition of Other Trade Names: \$0
- [Deletion of Other Trade Name](#)
 - Deletion of Other Trade Name: \$0
- [Change of Legal Status](#)
 - Change of Legal Status: \$0
- [Addition or Modification of Affiliates/Subsidiaries](#)
 - Change to Affiliates/Subsidiaries: \$0
- [Addition or Modification of Direct Owners/Executive Officers](#)
 - Change of Direct Owners/Executive Officers: \$0
- [Addition or Modification of Indirect Owners](#)
 - Change of Indirect Owners: \$0
- [Addition or Modification of Qualifying Individuals](#)
 - Change of Qualifying Individual: \$0
- [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 that should be emailed or mailed to the agency on the checklist below must be received with the appropriate checklist within five (5) business days of the electronic submission of your filing through NMLS.

Complete	ND Money Transmitter License Change of Legal Name Amendment Items	Submitted via...
<input type="checkbox"/>	Change of Legal Name: Submit an amendment for a change of Legal Name through the Company Form (MU1) in NMLS.	NMLS
Note	Change of Legal Name Fee: \$0 per license Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE.	N/A
<input type="checkbox"/>	<p>SURETY BOND RIDER OR ALTERNATE SECURITY DEVICE AMENDMENT for Legal Name Change: The Surety Bond Requirement when the company legal name has been changed may be satisfied by completing one of the following:</p> <ol style="list-style-type: none"> 1. 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 for more information. <p>If Amending a Security Device, contact the Department and ensure the Security Device is in the form satisfactory to the commissioner. The types of alternate security devices which the commissioner may approve are found in the Section 13-09-05 of the North Dakota Century Code. The Security Device must be in an aggregate amount of \$150,000 or such other amount as set by the commissioner not to exceed \$500,000, based on the lower of the principal amount or market value. This document should be uploaded in NMLS under the Document Type <u>Surety Bond – Alternate Security Device</u> in the <i>Document Uploads</i> section of the Company Form (MU1). This document should be named <i>ND Money Transmitter Security Device</i>. An original copy of this document must also be mailed to the Department of Financial Institutions, 2000 Schafer St., STE G, Bismarck, ND 58501-1204</p>	<p>Electronic Surety Bond in NMLS</p> <p>OR</p> <p>Upload in NMLS (Only Alternate Security Device Amendment): under the Document Type <u>Surety Bond</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p>
<input type="checkbox"/>	Certificate of Authority/Good Standing Certificate: For a name change, upload a copy of the amended Certificate of Authority issued by the North Dakota Office of the Secretary of State. Replace the prior issued certificate under the old name.	<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>Titled: <i>ND Certificate of Authority OR ND Certificate of Good Standing.</i></p>
<input type="checkbox"/>	<p>Formation Documents: Formation Documents must be submitted related to this change type related to any amendments.</p> <p>Determine classification of applicant's legal status and submit a State certified</p>	Upload in NMLS: under the Document Type <u>Formation Document</u> in the <i>Document Uploads</i>

	<p>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>section of the Company Form (MU1).</p> <p>Titled: <i>Formation Documentation [Date of Creation (MM-DD-YYYY)]</i>.</p>
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Complete	ND Money Transmitter License Change of Main Address Amendment Items	Submitted via...
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Complete	ND Money Transmitter License Change of Main Address Amendment Items	Submitted via...
<input type="checkbox"/>	Change of Main Address: Submit an amendment for a change of Main (Corporate) Address through the Company Form (MU1) in NMLS.	NMLS
Note	Change of Main Address: \$0 per license Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE.	N/A

Complete	ND Money Transmitter License Addition or Modification of Other Trade Name Amendment Items	Submitted via...
<input type="checkbox"/>	Addition or Modification of Other Trade Name: Submit an amendment for an addition of or change to an Other Trade Name through the Company Form (MU1) in NMLS.	NMLS
Note	Addition of Other Trade Name \$0 per license. Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE.	N/A
<input type="checkbox"/>	Trade Name/Assumed Name Registration Certificates: Trade Name/Assumed Name Registration Certificates issued by the ND Secretary of State's Office related to this change type must be uploaded within NMLS.	Upload in NMLS: under the Document Type <u>Trade Name/Assumed Name Registration Certificates</u> in the <i>Document Uploads</i> section of the Company Form (MU1). Titled: <i>ND-Money Transmitter Trade Name – Assumed Name.</i>

Complete	ND Money Transmitter License Deletion of Other Trade Name Amendment Items	Submitted via...
<input type="checkbox"/>	Deletion of Other Trade Name: Submit an amendment for deletion of an Other Trade Name through the Company Form (MU1) in NMLS.	NMLS

Complete	ND Money Transmitter 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 amendment for a change in Legal Status within the Company Form (MU1) in NMLS.	NMLS

Complete	ND Money Transmitter 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
<input type="checkbox"/>	Company Organizational Chart: Please make any necessary amendments to the company organization chart that is currently located in the Document Upload section of the Company Form (MU1).	Upload in NMLS: Amend document maintained in the <i>Document Uploads</i> section of the Company Form (MU1).

Complete	ND Money Transmitter License Addition or Modification of Direct Owners/Executive Officers Amendment Items	Submitted via...
<input type="checkbox"/>	Addition or Modification of Direct Owners/Executive Officers: Submit an ACN for an addition or change in Direct Owners/Executive Officers within the Company Form (MU1) in NMLS. 30 Days notice must be provided for this change.	NMLS
<input type="checkbox"/>	Credit Report for Control Persons: \$15 per control person.	NMLS (Filing submission)
<input type="checkbox"/>	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.	NMLS
<input type="checkbox"/>	FBI Criminal Background Check for MU2 Individual: \$36.25 per person.	NMLS (Filing submission)

<input type="checkbox"/>	<p>MU2 Individual FBI Criminal Background Check Requirements: When added to the Company Form (MU1), the following Individuals, as specified below, are required to authorize a FBI criminal background check (CBC) through NMLS.</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p>Direct Owners: Any individual that owns, beneficially owns, has the right to vote, or has the power to sell or direct the sale of 10% or more of a class of stock or voting security of the applicant or licensee.</p> <p>Executive Officers/Control Persons: Individuals, regardless of title, who have the power, directly or indirectly, to direct the management or policies of a company by contract or otherwise. Includes: Board of Directors; President, Executive Vice President, Senior Vice President, Treasurer, Secretary, or similarly elected or appointed senior corporate officers; Chief Executive Officer, Chief Financial Officer, Chief Operations Officer, and Chief Compliance Officer/BSA Officer.</p> </div> <p>See the Criminal Background Check section of the NMLS Resource Center for more information.</p> <p>Note: <u>Please authorize access for North Dakota to view the background check prior to submitting the request.</u> 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. 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>	<p>NMLS</p>
<input type="checkbox"/>	<p>Third-Party Investigatory Background Checks: An investigative background report must be prepared by an acceptable search firm for any individual requiring a FBI Criminal Background Check that is:</p> <ul style="list-style-type: none"> • not a United States citizen and does not, or has not, resided in the US for at least 7 years. • a US citizen but does not, or has not, resided in the United State for more than 2 consecutive years out of the last 7 years. <p>The report must contain at least the following for the countries, states, towns, and contiguous areas where the individual worked or resided for the past 7 years:</p> <ul style="list-style-type: none"> • A comprehensive credit report/history • Civil court and bankruptcy court records, including judgments and liens • Criminal records, including felonies, misdemeanors, and violations • Regulatory history, including other licenses held • Employment history • Media history, including electronic search of national and local publications, wire services, and business publications 	<p>Email or mail, directly from the search firm</p>

<input type="checkbox"/>	CHANGE IN OWNERSHIP or CHANGE IN CONTROL - Provide a letter of explanation of the change including proposed new ownership or the proposed change in control. A 25% or more change in ownership may require approval of the Commissioner. If approved, an approval confirmation letter will be issued.	Upload in NMLS: under the Document Type <u>Advance Change Notice</u> in the <i>Document Uploads</i> section of the Company Form (MU1). AND/OR Email to the ND Dept. of Financial Institutions: dfi@nd.gov
<input type="checkbox"/>	Management Chart: Please make any necessary amendments to the company management chart currently located in the Document Upload section of the Company Form (MU1). Note: A company should only upload a single management chart.	Upload in NMLS: under the Document Type <u>Management Chart</u> in the <i>Document Uploads</i> section of the Company Form (MU1).
<input type="checkbox"/>	Company Organizational Chart: Please make any necessary amendments to the company organization chart that is currently located in the Document Upload section of the Company Form (MU1). Note: A company should only upload a single organizational chart.	Upload in NMLS: under the Document Type <u>Organizational Chart/Description</u> in the <i>Document Uploads</i> section of the Company Form (MU1).

Complete	ND Money Transmitter License Addition or Modification of Indirect Owners Amendment Items	Submitted via...
<input type="checkbox"/>	Addition or Modification of Indirect Owners: Submit an ACN for an addition or change in Indirect Owners within the Company Form (MU1) in NMLS. 30 Days notice must be provided for this change.	NMLS
<input type="checkbox"/>	Credit Report for Control Persons: \$15 per control person.	NMLS (Filing submission)
<input type="checkbox"/>	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.	NMLS
<input type="checkbox"/>	FBI Criminal Background Check for MU2 Individual: \$36.25 per person.	NMLS (Filing submission)

<input type="checkbox"/>	<p>MU2 Individual FBI Criminal Background Check Requirements: When added to the Company Form (MU1), Indirect Owners, as specified below, are required to authorize a FBI criminal background check (CBC) through NMLS.</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p>Indirect Owners: Any individual that directly or indirectly, has the right to vote 10% or more of a class of a voting security or has the power to sell or direct the sale of 10% or more of a class of voting securities of the applicant.</p> </div> <p>See the Criminal Background Check section of the NMLS Resource Center for more information.</p> <p>Note: Please authorize access for North Dakota to view the background check prior to submitting the request. 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. 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>	<p>NMLS</p>
<input type="checkbox"/>	<p>Third-Party Investigatory Background Checks: An investigative background report must be prepared by an acceptable search firm for any individual requiring a FBI Criminal Background Check that is:</p> <ul style="list-style-type: none"> • not a United States citizen and does not, or has not, resided in the US for at least 7 years. • a US citizen but does not, or has not, resided in the United State for more than 2 consecutive years out of the last 7 years. <p>The report must contain at least the following for the countries, states, towns, and contiguous areas where the individual worked or resided for the past 7 years:</p> <ul style="list-style-type: none"> • A comprehensive credit report/history • Civil court and bankruptcy court records, including judgments and liens • Criminal records, including felonies, misdemeanors, and violations • Regulatory history, including other licenses held • Employment history • Media history, including electronic search of national and local publications, wire services, and business publications 	<p>Email or mail, directly from the search firm</p>
<input type="checkbox"/>	<p>CHANGE IN OWNERSHIP or CHANGE IN CONTROL - Provide a letter of explanation of the change including proposed new ownership or the proposed change in control. A 25% or more change in ownership may require approval of the Commissioner. If approved, an approval confirmation letter will be issued.</p>	<p>Upload in NMLS: under the Document Type Advance Change Notice in the <i>Document Uploads</i> section of the Company Form (MU1).</p> <p>AND/OR</p> <p>Email to the ND Dept. of Financial Institutions: dfi@nd.gov</p>

<input type="checkbox"/>	Management Chart: Please make any necessary amendments to the company management chart currently located in the Document Upload section of the Company Form (MU1). Note: A company should only upload a single management chart.	Upload in NMLS: under the Document Type <u>Management Chart</u> in the <i>Document Uploads</i> section of the Company Form (MU1).
<input type="checkbox"/>	Company Organizational Chart: Please make any necessary amendments to the company organization chart that is currently located in the Document Upload section of the Company Form (MU1). Note: A company should only upload a single organizational chart.	Upload in NMLS: under the Document Type <u>Organizational Chart/Description</u> in the <i>Document Uploads</i> section of the Company Form (MU1).

Complete	ND Money Transmitter License Addition or Modification of Qualifying Individual Amendment Items	Submitted via...
<input type="checkbox"/>	Addition or Modification of Qualifying Individual: Submit an amendment for an addition or change in Qualifying Individuals within the Company Form (MU1) in NMLS.	NMLS
Note	Change of Qualifying Individual: \$0 per license Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE.	N/A
<input type="checkbox"/>	Credit Report for Control Persons: \$15 per control person.	NMLS (Filing submission)
<input type="checkbox"/>	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.	NMLS
<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: When added to the Company Form (MU1), Qualifying Individuals are required to authorize a FBI criminal background check (CBC) through NMLS. See the Criminal Background Check section of the NMLS Resource Center for more information. Note: <u>Please authorize access for North Dakota to view the background check prior to submitting the request.</u> 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. If you are able to 'Use Existing Prints' to process the FBI criminal	NMLS

	background check, you DO NOT have to schedule an appointment. NMLS will automatically submit the fingerprints on file.	
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Complete	ND Money Transmitter 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