



## Company Transition Checklist Agency Requirements



### NEW HAMPSHIRE SMALL LOAN LENDER COMPANY LICENSE

This document includes instructions for a company (corporation location) transition request. If you need to complete a transition request for a branch location or individual; refer to the appropriate transition checklists.

**Use the checklist below to complete the requirements for New Hampshire Banking Department.**

The checklist provides instructions and requirements for information to be entered in NMLS, and the documents that must be uploaded into NMLS.

For help with the NMLS application, see the [Quick Guide for submitting a complete Company Form](#) filing through NMLS.

For help with document uploads, see the [Quick Guide for document upload in NMLS](#)

**Note:** Financial statements are uploaded separately under the Filing tab, “Financial Statement” submenu. All other documents are uploaded in the Filing tab under the “Document Upload” section of the Company Form (MU1).

For U.S. Postal Service:

*New Hampshire Banking Department  
53 Regional Drive  
Concord NH 03301*

For Overnight Delivery:

*New Hampshire Banking Department  
53 Regional Drive  
Concord NH 03301*

FILED IN NMLS	NEW HAMPSHIRE SMALL LOAN LENDER COMPANY
<input type="checkbox"/>	<p><b>Other Trade Name:</b> Foreign and domestic applicants who propose to use a trade name must provide proof of trade name registration issued by the NH Secretary of State. The “owner” of the trade name listed on the registration must match the name of the applicant. If these are not the same, ownership must be changed through the Secretary of State’s office.</p>
<input type="checkbox"/>	<p><b>Resident/Registered Agent:</b> Foreign companies (not formed under NH law) must appoint and maintain at all times a registered agent in New Hampshire.</p> <p>Providing this information on Form MU1 does not take the place of filing Form U-2, <a href="#">Uniform Consent to Service of Process</a>.</p>
N/A	<p><b>Bank Account:</b> Bank account information is not required; this field can be left blank on the company form.</p>
N/A	<p><b>Qualifying Individual:</b> Qualifying Individual field does not require an individual, this field can be left blank on the NMLS Company Form</p>
<input type="checkbox"/>	<p><b>Credit Report:</b> DO NOT REQUEST A CREDIT REPORT</p>
<input type="checkbox"/>	<p><b>FBI Report:</b> DO NOT REQUEST A FBI REPORT</p>
<input type="checkbox"/>	<p><b>Disclosure Questions:</b> Provide an explanation for any “Yes” response. Upload a copy of any applicable orders or supporting documents in NMLS.</p>
<input type="checkbox"/>	<p><b>Financial Statements:</b> Financial statements must be consistent with the legal status of the <i>applicant</i>, and audited statements are required if an audit was performed. Copies of the following that are prepared in accordance with generally accepted accounting principles by a public accountant, certified public accountant or the <i>applicant’s</i> financial officer must be uploaded. Internally-prepared statements must include an attestation, signed under penalty of Unsworn Falsification pursuant to NH RSA 641:3, that the financial statements are true and accurate to the best of his or her belief and knowledge.</p> <ul style="list-style-type: none"> <li>• Balance sheet as of the last fiscal year end and as of the most recent quarter end.</li> <li>• Cash flow statement as of the last fiscal year end and as of the most recent quarter end.</li> <li>• Income statement as of the last fiscal year end and as of the most recent quarter end.</li> <li>• Note disclosures</li> </ul> <p>Publicly traded corporations, and wholly owned subsidiaries of publicly traded corporations, may submit copies of their most recent SEC 10K and 10Q forms in lieu of financial statements required if the financial statements reflect the operations and financial position of the applicant itself.</p> <p>Note: Companies <i>must maintain</i> a minimum positive net worth at all times.</p>

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<input type="checkbox"/>	<b>Business Plan:</b> Upload a business plan outlining marketing strategy, products, target markets and operating structure the applicant intends to employ.
<input type="checkbox"/>	<b>Certificate of Authority/Good Standing Certificate:</b> Upload a state-issued document (typically by the state's Secretary of State office) demonstrating that the corporation or limited liability company (LLC) exists or is authorized to do business in the state.
<input type="checkbox"/>	<b>Document Samples:</b> Upload copies of documents used in the regular course of business in connection with certain license types as required by the regulator (e.g. consumer disclosure forms, origination and/or loan modification forms).
<input type="checkbox"/>	<b>Formation Document:</b> Upload a certified copy of: <ul style="list-style-type: none"> <li>• The Corporate Charter or Articles of Incorporation (if a corporation), or</li> <li>• The Articles of Organization and Operating Agreement (if a Limited Liability Company), or</li> <li>• The Partnership Agreement (if a partnership of any form).</li> </ul>
<input type="checkbox"/>	<b>Management Chart:</b> Upload an organizational chart showing the applicant's divisions, officers, and managers.
<input type="checkbox"/>	<b>Organizational Chart/Description:</b> Upload an organizational chart if applicant is owned by another entity or entities or person, or has subsidiaries or affiliated entities.
<input type="checkbox"/>	<b>Contact Employees:</b> <p>The individual named in <b>question 6. Primary Contact Employee Information</b> on the Form MU1 must be authorized by the company to make sworn statements and attestations on behalf of the company where required as part of the application and/or renewal process.</p> <p>The individual named in <b>question 6. Primary Consumer Complaint</b> must be the individual that the NH Banking Department will contact when a complaint against the company is received. Please note that as this individual should have the authority and discretion to speak on behalf of the company, the New Hampshire Banking Department may require the individual complete an Individual Form (MU2) filing and background check.</p>
<input type="checkbox"/>	<b>Additional Contact Employees:</b> The following contact employee(s) will need to be identified under <b>question 7, Additional Contact Employees Information:</b>  <b>Litigation and Examination. (Please note that even if the individual is already listed as the Primary Contact person, he or she will still need to be identified here for jurisdiction New Hampshire.)</b> Please note that as these individuals should have the authority and discretion to speak on behalf of the company.

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<input type="checkbox"/>	<p><b>Control Persons/Principals:</b> Individual Form (MU2) must be filed for all control persons/principals of the applicant, including sole proprietors. <a href="#">Principals</a> of the applicant are considered <a href="#">“control persons”</a> in New Hampshire.</p>

The regulator will review the filing and all required documents and communicate with you through NMLS and written correspondence. 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 see ([License Status Quick Guide](#)) for instruction.

Questions concerning NH RSA 399-A can be found at: <http://gencourt.state.nh.us/rsa/html/NHTOC/NHTOC-XXXVI-399-A.htm>

**WHO TO CONTACT** – Contact the New Hampshire Banking Department licensing staff by phone at (603) 271-8675 or send your questions via e-mail to [Licensing@banking.nh.gov](mailto:Licensing@banking.nh.gov) for additional assistance.