



# NY Money Transmitter License Transition Checklist (Company)

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## GENERAL INFORMATION

### Transition to NMLS

Companies holding the New York State Department of Financial Services (NY-DFS) Money Transmitter License are able to submit a license transition request through NMLS by filing a Company Form (MU1) and an Individual Form (MU2) for each of their control persons. The NY-DFS Money Transmitter License will be available in NMLS to submit the transition request starting July 1, 2017. The transition to NMLS for this license is *optional*.

**Note:** If you already have a record in NMLS and have submitted these forms in the past, you do not need to re-enter your company information into NMLS. You will only need to identify the business activities your company conducts and the states in which the various activities are conducted. Then, you will select the appropriate license in NY, and complete certain state-specific fields.

It is important that current licensees have the appropriate transition number available when completing and submitting their Company Form (MU1), so they are not charged a new application fee. When selecting your license in the Company Form (MU1), you will be asked to enter your existing NY-DFS license number. When entering your existing NY-DFS license number in NMLS, enter the numerals only. Do not include "MT."

Any licensee that needs to amend or surrender a license (or execute any other action previously completed in paper form) must complete these actions within NMLS from July 1, 2017 onward. NY-DFS encourages current licensees to update their information with NY-DFS at least two weeks prior to requesting their license transition through NMLS, so there will be no pending changes to submit at the time of transition.

The license requirements for money transmitters are found primarily in Article 13-B of the New York Banking Law (BL) and the regulations thereunder. BL Section 641(1) provides:

No person shall engage in the business of selling or issuing checks, or engage in the business of receiving money for transmission or transmitting the same, without a license therefor obtained from the superintendent as provided in this article, nor shall any person engage in such business as an agent, except as an agent of a licensee or as agent of a payee; provided, however, that nothing in this article shall apply to a bank, trust company, private banker, foreign banking corporation licensed pursuant to article two of this chapter or foreign banking company authorized to operate pursuant to the

International Banking Act of 1978 (12 USC 3101 et seq.), as amended, savings bank, savings and loan association, an investment company, a national banking association, federal reserve bank, corporation organized under the provisions of section twenty-five-a of an act of congress entitled the "Federal Reserve Act", federal savings bank, federal savings and loan association or state or federal credit union.

### Activities Authorized Under This License

This license authorizes the following activities...

- Bill paying
- Issuing and/or selling drafts
- Selling prepaid access/stored value
- Electronic Money Transmitting
- Foreign currency dealing or exchanging
- Issuing money orders
- Issuing prepaid access/stored value
- Issuing traveler's checks
- Other-Money Services
- Selling money orders
- Selling traveler's checks

### 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 transition.
- 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

- [Transitioning an Existing Company License Quick Guide](#)
- [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 NY-DFS licensing staff by phone at (212) 709-5507.

*For U.S. Postal Service & Overnight Delivery:  
New York State Department of Financial Services  
Licensed Financial Services – Supervision Unit  
One State Street  
New York, NY 10004-1511*

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.

**LICENSE FEES** - Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE.

Complete	NY Money Transmitter License	Submitted via...
Note	<p><b>NY License/Registration Transition Fee:</b> \$0</p> <p><b>NMLS Transition Processing Fee:</b> \$0</p>	N/A
Note	<p><b>Uniform Authorized Agent Reporting Annual Processing Fee:</b> An annual fee of twenty-five cents (\$0.25) for each active authorized agent/delegate location reported through NMLS is invoiced on November 1st.</p> <p>There is no fee for the first 100 active agents reported (Companies with 100 agents or less are not subject to the UAAR Processing Fee).</p> <p>The fee is capped at \$25,000 per licensee in any one year.</p> <p>The invoiced amount is based on the number of active agents in the system as of August 16th (day after third quarter reporting deadline).</p> <p>See the <a href="#">Uniform Authorized Agent Reporting Processing Fee Fact Sheet</a> for more information.</p>	NMLS (Invoiced on November 1 <sup>st</sup> )

**REQUIREMENTS COMPLETED IN NMLS**

Complete	NY Money Transmitter License	Submitted via...
<input type="checkbox"/>	<p><b>Submission of Company Form (MU1):</b> Complete and submit the Company Form (MU1) in NMLS. This form serves as the transition request for the license/registration through NMLS.</p> <p>See the <a href="#">Transitioning an Existing License Quick Guide</a> for instructions on how to submit the transition request.</p> <p><b><i>When selecting your license in the Company Form (MU1), you will be asked to enter your existing license number. Be sure to enter your NY-DFS License Number. When entering your existing NY-DFS license number in NMLS, enter the numerals only. Do not include "MT."</i></b></p>	NMLS
<input type="checkbox"/>	<p><b>Financial Statements:</b> Upload 2 most recent years <b>Audited</b> financial statements prepared by a Certified Public Accountant in accordance with Generally Accepted Accounting Principles dated within 90 days of your fiscal year end. Financial statements should include a balance sheet, income statement, and statement of cash flows and all relevant notes thereto. If applicant is a start-up company, only an initial statement of condition is required.</p> <p><i>If Audited financials are unavailable, provide an Unaudited statement and include an explanation of why.</i></p> <p><b>Note:</b> Financial statements are uploaded separately under the Filing tab and <i>Financial Statement</i> submenu link. See the <a href="#">Financial Statements Quick Guide</a> for instructions.</p>	NMLS

Complete	NY Money Transmitter License	Submitted via...
<input type="checkbox"/>	<p><b>Authorized Agents (Delegates) Locations:</b> Licensees must use the <a href="#">NMLS Uniform Authorized Agent Reporting (UAAR) functionality</a> to report Authorized Agents. Upon license approval in NMLS, licensees are required to utilize the UAAR to upload a list of agents who are authorized to conduct money transmission business in the state of <i>New York</i> on the licensee’s behalf. Agent adjustments (additions, deletions, and modifications) must be submitted through the UAAR on a <i>quarterly</i> basis, even if there are no changes to report. For more information, consult the <a href="#">NMLS Resource Center</a>.</p>	NMLS
<input type="checkbox"/>	<p><b>Other Trade Name:</b> 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 Other Trade Names section of the Company Form (MU1). NY-DFS does not limit the number of other trade names.</p> <p>If operating under an “Other Trade Name”, upload documentation regarding ability to do business under that trade name. This document should be named <i>[State-License Type] Trade Name – Assumed Name</i>.</p> <p><b>Note:</b> Corporations, limited liability companies, and limited partnerships proposing to conduct business under an assumed name (e.g., DBA) must apply to the Secretary of State for authorization to do so. Individuals, general partnerships, and limited liability partnerships proposing to conduct business under an assumed name must apply to the County Clerk of each county in which the business will operate for permission to do so. In either case, certified copies of the applicable authorization must also be submitted.</p>	<p>NMLS</p> <p><b>Upload in NMLS:</b> under the Document Type <a href="#">Trade Name/Assumed Name Registration Certificates</a> in the <i>Document Uploads</i> section of the Company Form (MU1).</p>
<input type="checkbox"/>	<p><b>Resident/Registered Agent:</b> The Resident/Registered Agent must be listed under the <i>Resident/Registered Agent</i> section of the Company Form (MU1).</p> <p><b>Note:</b> The resident/registered agent is the entity that will receive service of legal process on behalf of your company in the state identified.</p>	NMLS
<input type="checkbox"/>	<p><b>Primary Contact Employees:</b> 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"> <li>1. <b>Primary Company Contact.</b></li> <li>2. <b>Primary Consumer Complaint Contact.</b></li> </ol>	NMLS
<input type="checkbox"/>	<p><b>Non-Primary Contact Employees:</b> NY-DFS <b>requires</b> that an individual(s) be identified as a <b>Non-Primary Contact</b> for the following areas. These contacts must be listed in the <i>Contact Employees</i> section of the Company Form (MU1).</p> <ol style="list-style-type: none"> <li>1. Accounting</li> <li>2. Licensing</li> <li>3. Consumer Complaint (Public)</li> <li>4. Consumer Complaint (Regulator)</li> <li>5. Legal</li> <li>6. Pre-Exam Contact</li> </ol>	NMLS

Complete	NY Money Transmitter License	Submitted via...
<input type="checkbox"/>	<p><b>Bank Account:</b> The following bank account information must be completed in the <i>Bank Account</i> section of the Company Form (MU1).</p> <ul style="list-style-type: none"> <li>Identify bank(s) the applicant will use for purposes of money transmission, both foreign and domestic.</li> <li>Identify bank(s) that will extend credit to the applicant.</li> </ul>	<b>NMLS</b>
<input type="checkbox"/>	<p><b>Disclosure Questions:</b> 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 <a href="#">Company Disclosure Explanations Quick Guide</a> for instructions.</p>	<b>Upload in NMLS</b> in the <i>Disclosure Explanations</i> section of the Company Form (MU1) or Individual Form (MU2).
Note	<p><b>Qualifying Individual:</b> The <i>Qualifying Individual</i> section is not required to be completed for NY-DFS on the Company Form (MU1).</p>	<b>N/A</b>
<input type="checkbox"/>	<p><b>Chief Compliance Officers:</b> The Chief Compliance Officer for the Company must be reported in the <i>Direct Owner/Executive Officers</i> section of the Company Form (MU1).</p> <p><b>Note:</b> Individuals identified in the <i>Direct Owner/Executive Officers</i> section of the Company Form (MU1) are required to complete and submit an Individual Form (MU2) along with the Company Form (MU1). See the <a href="#">Individual Form (MU2) Filing Quick Guide</a> for more information.</p>	<b>NMLS</b>
<input type="checkbox"/>	<p><b>Control Person (MU2) Attestation:</b> 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>	<b>NMLS</b>
Note	<p><b>Credit Report:</b> Unless you are otherwise instructed by NY-DFS, no credit reports are required to be submitted for this transition.</p>	<b>N/A</b>
Note	<p><b>MU2 Individual FBI Criminal Background Check Not Required Through NMLS:</b> Direct Owners/Executive Officers, Indirect Owners, and Qualifying Individuals are NOT required to authorize an FBI criminal background check (CBC) through NMLS.</p>	<b>N/A</b>

**REQUIREMENTS/DOCUMENTS UPLOADED IN NMLS**

Complete	NY Money Transmitter License	Submitted via...
<input type="checkbox"/>	<b>Surety Bond:</b> Unless otherwise specified by the NY-DFS, submit the Company bond in the amount of no less than \$500,000 furnished by a surety company authorized to conduct business in New York. The name of the principal insured on the bond must match exactly the full legal name of applicant, including any Other Trade Names. This document should be named <i>[License Type] Surety Bond</i> .	<b>Upload in NMLS:</b> under <u>Surety Bond</u> in the <i>Document Uploads</i> section of the Company Form (MU1). <b>Note:</b> This item must also be mailed to the NY-DFS.

**INDIVIDUAL (MU2) DOCUMENTS UPLOADED IN NMLS**

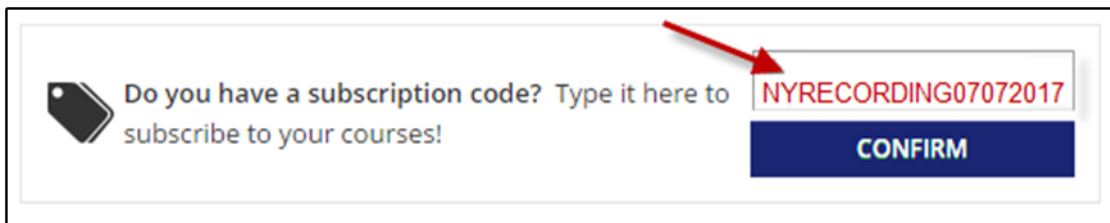
No individual (MU2) documents are required to be uploaded into NMLS for this license/registration at this time.

NMLS ID Number	
Licensee Legal Name	

REQUIREMENTS SUBMITTED OUTSIDE OF NMLS		
Complete	NY Money Transmitter License	Submitted via...
<input type="checkbox"/>	<b>Surety Bond:</b> Submit the original bond in the amount described <a href="#">above</a> .	<b>Mail to NY-DFS</b>

Follow the instructions below to watch the recorded webinar for the **New York Companies Transition to NMLS (Money Transmitters) - July 7th, 2017 (Recording)**.

1. Go to <https://www.csbstraining.org/lms/>
2. Click the **Register** link in the top right corner.
3. Complete all fields marked by a red asterisk (\*).
  - a. **Select "State-Licensed" for User Type.**
4. After completing all fields, a confirmation email is sent. Check your Spam folder.
5. Click the link in the confirmation email that is sent from LMSAdmin@csbs.org.
6. A new tab or window opens in your browser confirming your registration, allowing you to log in.
7. **Log in to the LMS and on the My Dashboard page, scroll to the bottom and enter the subscription code: NYRECORDING07072017 then click confirm.**



8. The recorded webinar is then available in **My Courses**.

