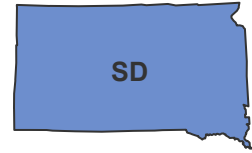




## Branch New Application Checklist

Agency-Specific Requirements



### SOUTH DAKOTA MONEY LENDER BRANCH LICENSE

This document includes instructions for a branch new application request. If you need to complete a new application for a company location or individual; refer to the appropriate new application checklists.

Note: The company form (corporate location) must request a new application prior to the submission of a branch form.

**Total License costs: \$1,000** including the NMLS processing fee.

Fees collected through the **NMLS ARE NOT REFUNDABLE.**

#### South Dakota Codified Law and Administrative Rules:

- [Chapter 54-4](#)
- [Chapter 20:07:20](#)

**Use the checklist below to complete the requirements the South Dakota Division of Banking.**

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

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

#### Helpful Resources

- [Branch \(MU3\) Form Filing Quick Guide](#)
- [Document Uploads Quick Guide](#)
- [Document Upload Descriptions and Examples](#)
- [Payment Options Quick Guide](#)
- [License Status Quick Guide](#)

Agency specific requirements marked **Filed in NMLS** must be completed and/or uploaded in NMLS; this information will not be viewable to the agency until the application has been submitted through NMLS.

#### **NOTICE:**

Failure to provide **ALL** items on the checklist will result in the application being **Withdrawn- Application Abandoned** for submitting an incomplete application.

NMLS Branch Unique ID Number: \_\_\_\_\_

Applicant Legal Name: \_\_\_\_\_

FILED IN NMLS	ATTACHED	NOT APPLICABLE	LICENSE NAME
<input type="checkbox"/>	N/A	N/A	<p><b>Branch Manager:</b> A Branch Manager must be designated for each licensed location. A Branch Manager is defined as an individual whose principal office is physically located in, who is in charge of, and who is responsible for the business operations of a branch office.</p>
<input type="checkbox"/>	N/A	N/A	<p><b>Branch Manager Resume:</b> Upload a resume for the branch manager.</p> <p><input type="button" value="Upload"/> this document in NMLS under the Document Type “Management Chart” in the <i>Document Uploads</i> section of the Company (MU1) Form.</p>
<input type="checkbox"/>	N/A	N/A	<p><b>Other Trade Names:</b> Any other trade names used by this branch must be identified on both the Branch (MU3) Form and the Company (MU1) Form.</p> <p>If operating under an “Other Trade Name”, upload a state issued and approved document demonstrating authorization to do business under that trade name.</p> <p><input type="button" value="Upload"/> this document in NMLS under the Document Type “Trade Name/Assumed Name Registration Certificates” in the <i>Document Uploads</i> section of the Company (MU1) Form.</p>
<input type="checkbox"/>	N/A	N/A	<p><b>Disclosure Questions:</b> Provide an explanation for any “Yes” response(s).</p> <p>A separate explanation and document upload is needed for each “Yes” response.</p> <p><input type="button" value="Upload"/> a copy of any applicable orders or supporting documents in the <i>Disclosure Explanations</i> section of the Individual (MU2) Form.</p> <p>See the <a href="#">Individual Disclosure Explanations Quick Guide</a> for instructions.</p>
<input type="checkbox"/>	N/A	N/A	<p><b>Company Staffing and Internal Policies:</b> If any changes have been made since the main company first became licensed, please upload the new company staffing and internal policies.</p> <p><input type="button" value="Upload"/> this document in NMLS under the Document Type “Company Staffing and Internal Policies” in the <i>Document Uploads</i> section of the Company (MU1) Form.</p>

<input type="checkbox"/>	N/A	N/A	<p><b>Management Chart:</b> Upload a Management chart displaying the applicant’s directors, officers, and managers (individual name and title). Must also identify compliance reporting and internal audit structure.</p> <p><b>Upload</b> this document in NMLS under the Document Type “Management Chart” in the <i>Document Uploads</i> section of the Company (MU1) Form.</p>
<input type="checkbox"/>	N/A	N/A	<p><b>Electronic Surety Bond:</b> Electronic Surety Bond via NMLS in the amount of \$2,500 increased for each additional branch location on the Company’s Surety Bond and submitted by a surety company authorized to conduct business in South Dakota.</p> <p>See the <a href="#">ESB Adoption Table</a> and the <a href="#">ESB for NMLS Licensees page</a> of the NMLS Recourse Center for more information.</p> <p><b>Note:</b> Surety bonds submitted via the <i>Document Uploads</i> section will not satisfy this requirement.</p>
<input type="checkbox"/>	N/A	N/A	<p><b>Document Samples:</b> Upload a blank copy of loan contracts and disclosures of each loan product offered.</p> <p><b>Upload</b> this document in NMLS under the Document Type “Document Samples” in the <i>Document Uploads</i> section of the Company (MU1)</p>
<input type="checkbox"/>	N/A	N/A	<p><b>Uniform Consent To Be Sued Form:</b> Upload the completed notarized form. The form can be found at <a href="#">the end of the checklist</a>.</p> <p><b>Upload</b> this document in NMLS under the Document Type “Company Staffing and Internal Policies” in the <i>Document Uploads</i> section of the Company (MU1) Form.</p>

South Dakota 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. See the [License Status Review & Definitions](#) quick guide for instructions.

**WHO TO CONTACT** – Contact *the South Dakota Division of Banking* licensing staff by phone at [605-773-3422](tel:605-773-3422) or send your questions via e-mail to [banking@state.sd.us](mailto:banking@state.sd.us) or additional assistance.

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 THE NMLS. SHOULD YOU HAVE QUESTIONS, PLEASE CONSULT LEGAL COUNSEL.

SOUTH DAKOTA DEPARTMENT OF LABOR AND REGULATION  
DIVISION OF BANKING

UNIFORM CONSENT TO BE SUED

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, \_\_\_\_\_, (a corporation organized under the laws of the State of \_\_\_\_\_) or a (partnership) (an individual) (other) \_\_\_\_\_ for the purpose of complying with the laws of the State of South Dakota relating to the licensure as a Money Lender (SDCL ch. 54-4), does hereby consent that any action or proceeding against it arising from enforcement of the provisions of SDCL ch. 54-4 and any rules promulgated pursuant to SDCL ch. 54-4 may be commenced in any court of competent jurisdiction and proper venue within South Dakota.

It is requested that a copy of any notice, process or pleading served hereunder be mailed to:

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(City, State Zip code)

By \_\_\_\_\_  
Title \_\_\_\_\_

\_\_\_\_\_ (State)

\_\_\_\_\_ (County)

Subscribed and sworn to (or affirmed) before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ before me personally appeared \_\_\_\_\_, to me known to be the person who executed the foregoing instrument, and acknowledged that he executed the same of his own free act, and deed.

(Official Seal)

By \_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_, 20\_\_\_\_.