

Payday Lender (Deferred Deposit Advance) New Application Checklist

General Instructions

To ensure there are no delays in the review of your application:

Upload the required documents outlined in this checklist to the appropriate section in the Nationwide Multistate Licensing System ([NMLS](#)). Processing of the application begins upon receipt of required documents and fees; an incomplete application delays processing.

Alaska Authority

Alaska Statute 06.50 Deferred Deposit Advance <https://www.akleg.gov/basis/statutes.asp#06.50>

Alaska Administrative Code: Title 3, Chapter 11 <https://www.akleg.gov/basis/aac.asp#3.11>

Alaska Statute 06.01.025 Records of the Department <https://www.akleg.gov/basis/statutes.asp#06.01.025>

Activities Authorized Under This License

This license authorizes the following activities:

1. Payday lending - Storefront
2. Payday lending - Online

Fees

AK License/Registration Fee - \$1,500.00*

NMLS Initial Processing Fee – \$120

Credit Report for Control Persons - \$15 per Control Person

Fees collected through NMLS are NOT REFUNDABLE.

**Investigation expenses incurred by the department in processing the application for licensure shall be charged to and paid by the applicant under [AS 06.01.010](#). Assessment of these costs, an agency fee invoice issued via NMLS, upon the completion of the investigation.*

Please contact our office for any questions regarding the licensing requirements outlined in this checklist. We are available Monday through Friday, from 8:00 AM to 4:00 PM Alaska Time. You can reach us by phone at 907-465-2521, or via email at loanentity.licensing@alaska.gov or dbs.licensing@alaska.gov for general information.

Additional checklists pertaining to a Deferred Deposit Advance License may be found here:

<https://mortgage.nationwidelicingsystem.org/slr/SitePages/Checklist-Compiler.aspx>

Please retain a copy of all documents uploaded to NMLS.

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Application Form –

Complete and submit the Company Form (MU1) in NMLS. Please upload a certified resolution of Board of Directors, Manager, Member, or General Partner, authorizing the filing by the applicant of an application for a deferred deposit advance license in Alaska. Please upload this document in the *Additional Requirement(s)* section of *Document Uploads* in NMLS.

Financial Information/Net Worth Requirement – Upload to the *Financial Statements* section of MU1 in NMLS.

Financial statements must be prepared in accordance with Generally Accepted Accounting Principles and must include a Balance Sheet (statement of assets and liabilities), Income Statement and Profit and Loss Statement.

Submit a current financial statement as of the most recent quarter end for the applicant business (or personal financial statements for sole proprietorship).

Submit a copy of your most recent audited financial statement and, if available, audited financial statements for the prior two years.

If a newly formed business, please provide documentation supporting the method and source of capitalization (where the funding for your business comes from).

If applicant is a wholly owned subsidiary of another corporation, may submit either the parent's consolidated audited financial statement of the current year and prior two years, or the parent's Form 10K reports filed with the United States Securities & Exchange Commission for the prior three years in lieu of the financial statements.

Resident/Registered Agent – List under *Resident/Registered Agent* section of the MU1 in NMLS.

Alaska Statutes state an applicant shall continuously maintain in Alaska, a registered agent, and a registered office for the purpose of a registered agent's statutory requirements to receive service of processes, notices, or demands required or permitted by law for service upon the applicant.

Primary Contact Employees -

The contact information belonging to the following individuals (actual employees of applicant, not outside consultants) completed in the *Contact Employees* section of the MU1.

Primary Company Contact: This individual will receive all communications from Alaska regulators.

Primary Consumer Complaint Contact: Consumer will receive the information belonging to this individual from Alaska regulators.

NOTE – All contact information must belong to the individual listed. Generic email addresses or email addresses belonging to another person will not be accepted.

Bank Account -

Bank account information provided for the company's Letter/Line of Credit, Operating, and/or Trust Primary accounts in the *Bank Account* section of the MU1.

Control Person (MU2) Attestation -

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Complete the Individual Form (MU2) in NMLS. The applicable control person must attest to the accuracy of this form before it is associated to the MU1.

The MU2, at a minimum, shall contain the residential history, employment history (including period when not actively employed) and other business information for the 10 years preceding the submission of the request for licensure, in accordance with [AS 06.55.102\(b\)\(4\)](#).

NOTE: Foreign nationals, individuals who do not reside in the US, or individuals who have lived outside the US in the past 10 years must submit criminal background check for all countries the individual has lived in, translated into English, prior to applying for licensure or submitting a Change of Control Advance Change Notice.

Authorization of an FBI Criminal Background Check (CBC) **NOT** required for Direct Owners/Executive Officers and Indirect Owners.

Credit Report -

Individuals in a position of control must authorize a credit report through NMLS.

Individuals must complete an Identity Verification Process (IDV) along with an individual attestation before filing a license request for your company through NMLS.

This authorization happens with the association of MU2 as part of MU1.

Electronic Surety Bond -

Electronic Surety Bond via NMLS in the amount of \$25,000 for single location and \$50,000 for multiple location furnished and submitted by a surety company authorized to conduct business in Alaska.

NOTE:

Surety bonds submitted via the *Document Uploads* section of the MU1 **will not** satisfy this requirement.

Alaska Affidavit Form- Upload this document in the *Certificate of Authority/Good Standing Certificate* section of *Document Uploads* in NMLS.

Download an [Alaska Business Affidavit form](#) and complete the form including a selection of A or B on question 6. If the attestant physically signs the affidavit, the notary must do so also. If the attestant digitally signs the affidavit, the notary must do so also. Mixed physical and digital signatures deem the affidavit invalid. . If the attestant marked “B” on question 6, please email loanentity.licensing@alaska.gov to receive instructions for securely transmitting the supporting documentation. Please **do not** upload supporting documentation in NMLS.

State of Alaska Business License – Upload to the *Certificate of Authority/Good Standing Certificate* section of *Document Uploads* in NMLS.

Submit a copy of the current Alaska business license, in accordance with [AS 43.70.020](#).

You must register other trade names (“DBA”) by submitting a business name registration, after acquiring a business license for that DBA. List all DBAs under the Other Trade Name section of the MU1. There is no limit on the number of other trade names a DDA licensee operates under.

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The Alaska Division of Corporations, Business, and Professional Licensing (CBPL) Business License contact: (907) 465-2550 or businesslicense@alaska.gov

Registration with the State of Alaska – Upload to the *Certificate of Authority/Good Standing Certificate* section of *Document Uploads* in NMLS.

Submit a copy of a Certificate of Authority or Certificate of Good Standing issued by CBPL. The CBPL Corporations contact: (907) 465-2550 or corporations@alaska.gov

Company Business Documents - Upload to *Business Plan* section of *Document Uploads* in NMLS.

Business plan outlining the following information:

Marketing strategies

Products

Target markets

Fee schedule

Operating structure the applicant intends to employ.

If the existing uploaded business plan already includes the above information, there is no need to upload an additional document.

Formation Documents– Upload to the *Formation Document* section of *Document Uploads* in NMLS.

Submit a State certified copy of the requested applicable documentation detailed below. Original formation documents and **all** subsequent amendments, thereto include a list of any name changes.

Unincorporated Association: By-Laws or Constitution

General Partnership: Partnership Agreement

Limited Liability Partnership: Certificate of Limited Liability Partnership and Partnership Agreement

Limited Partnership: Certificate of Limited Partnership and Partnership Agreement

Limited Liability Limited Partnership: Certificate of Limited Liability Limited Partnership and Partnership Agreement

Limited Liability Company (“LLC”): Articles of Organization; Operating Agreement; IRS Form 2553 or IRS Form 8832 if S-Corp treatment elected; and LLC resolution if authority not in operating agreement.

Corporation: Articles of Incorporation; By-laws, if applicable; Shareholder Agreement; IRS Form 2553 if S-Corp treatment elected; and corporate resolution if authority complete application not in By-Laws or Shareholder Agreement

Not for Profit Corporation: Documents requested for a Corporation (above); and Proof of nonprofit status; 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.

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Organizational Chart - Upload to the *Organizational Chart* section of *Document Uploads* in NMLS.

Submit a chart showing (or a description which includes) the percentage of ownership of:

Direct Owners - total direct ownership percentage **must** be equal to 100%.

Indirect Owners- total direct ownership percentage **must** equate to 100%.

Subsidiaries and Affiliates of the applicant

If the existing uploaded Organizational Chart/Description already includes the above information, do not upload an additional document.

Management Chart - Upload to the *Management Chart* section of *Document Uploads* in NMLS.

Submit a chart displaying the applicant's directors, officers, and managers (individual name and title).

Must also identify compliance reporting and internal audit structure.

If the existing uploaded management chart already includes the above information, do not upload an additional document.

Advertising – Upload to the *Document Samples* section of *Document Uploads* in NMLS.

Please submit samples of advertising used (as described in the business plan)

If the applicant is located outside the state of Alaska, please explain how the business plans to engage with Alaska consumers and if employees will only work from the assigned home office location.

Records, Reports, and Operations – Upload to the *Company Staffing and Internal Policies* section of *Document Uploads* in NMLS.

Submit policy for maintaining books and records.

Provide a copy of the proposed Advance Agreement, disclosure statement and other instruments in general use by the applicant that are related to advance transactions.

Submit maximum advance terms and fees.

Submit the required fee notice and descriptions of where it will be in each location.

Submit policy and procedure for collection or court action after default.

Disclosure Questions – Upload supporting documentation to the *Disclosure Explanations* section of the MU1 or MU2.

Provide a complete and detailed explanation and document upload for each “Yes” response to Disclosure Questions made on the MU1 or related MU2s.