

SOUTH DAKOTA DEPARTMENT OF LABOR AND REGULATION

DIVISION OF BANKING

1601 N. Harrison Ave., Suite 1, Pierre, SD 57501

Tel: 605-773-3421 banking.sd.gov

MONEY LENDING LICENSE APPLICATION

Please mail completed applications to the address above.
All answers must be typewritten or printed legibly. All signatures must be in ink.

NEW APPLICATION **AMEND EXISTING LICENSE** **SURRENDER/CANCEL LICENSE**

License # (if applicable):

If filing an amendment, please circle the section of the application that is being amended.

Section 1

A) Exact name and business address of applicant:

Full name of applicant (if sole proprietor, state first middle and last name)		
Name under which lending business is primarily conducted, if different from above		
Physical address of location to be licensed:		
(city)	(state)	(zip)
Web Address		

B) Contact Person – The individual listed as the contact person must be authorized to receive all compliance information, communications, and mailing, and be responsible for disseminating it within the applicant’s organization.

Name	Title
Mailing Address	
(city)	(state) (zip)
Phone Number ext.	Email address

C) Employee authorized to respond to consumer complaints:

Name	Title
Mailing Address	
(city)	(state) (zip)
Phone Number ext.	Email address

D) Physical address of location where the official books and records of the applicant will be kept.

Records Custodian Name	
Mailing Address	
(city)	(state) (zip)
Phone Number ext.	Email address

Section 2b Criminal, Regulatory Action and Financial Disclosure

Yes No

1. In the past ten years has the applicant or a control person listed in Section 2a:
 - a. Been convicted of or pled guilty or nolo contendere (“no contest”) in a domestic, foreign or military court to any felony?
 - b. Been charged with any felony?
2. In the past ten years has the applicant or a control person listed in Section 2a:
 - a. Been convicted of or pled guilty or nolo contendere (“no contest”) in a domestic, foreign or military court to a misdemeanor involving dishonesty or moral turpitude?.....
 - b. Been charged with a misdemeanor involving dishonesty or moral turpitude?
3. Has any other state or federal regulatory agency ever:
 - a. Found the applicant or a control person to have made a false statement or omission?
 - b. Found the applicant or a control person to have been involved in a violation of its regulations or statutes?
 - c. Found the applicant or a control person to have been a cause of a lending-related business having its authorization to do business denied, suspended, revoked, or restricted?.....
 - d. Entered an order against the applicant or a control person in connection with lending-related activity?
 - e. Imposed a civil money penalty on the applicant or a control person, or ordered the applicant or control person to cease and desist from any activity?
 - f. Ever denied, suspended, or revoked the applicant’s or a control person’s registration or license or otherwise, by order, prevented it from associating with a lending-related business or restricted its activities?.....
4. Is the applicant or a control person now the subject of any regulatory proceeding that could result in a “yes” answer to any part of 3a through 3f?.....
5. Has any domestic or foreign court:
 - a. In the past ten years, enjoined the applicant or a control person in connection with any lending-related activity?
 - b. Ever found that the applicant or a control person was involved in a violation of lending-related statutes or regulations?
 - c. Ever dismissed, pursuant to a settlement agreement, a lending-related civil action brought against the applicant or a control person by a state or foreign financial regulatory authority?
6. Is the applicant or a control person now the subject of any civil proceeding that could result in a “yes” answer to any part of 5a through 5c?.....
7. In the past ten years has the applicant or a control person of the applicant ever been the subject of a bankruptcy petition?.....
8. Has a bonding company ever denied, paid out on, or revoked a bond for the applicant?.....
9. Does the applicant have any unsatisfied judgments or liens against it?.....

****If you checked “yes” to any of the above questions in Section 2b, please provide details on a separate page.****

4. Do you understand that:

- a. This license is not transferable or assignable?
- b. Any change of control requires written notification to the Division of Banking?
- c. A change of name or address requires an amendment to your license? Failure to notify the Division of Banking and amend your license may result in disciplinary action?
- d. Each location engaged in lending activity must have a separate license?
- e. Your license must be conspicuously posted at the address listed on the license?
- f. This license is renewable on November 1st of each year?
- g. By holding this license you are required to file a Bank Franchise Tax Return with the Special Taxes Division of the South Dakota Department of Revenue and Regulation (www.state.sd.us/drr)?
- h. Any false statement in your application for a license is cause for suspension or revocation of your license?
- i. A violation of any of the provisions of SDCL 54-4 or Administrative Rules of the Division of Banking is cause for disciplinary action?
- j. Incomplete applications will be returned?

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Applicant consents to the investigation and verification by the Division of any information provided in this or any other application.

Applicant agrees to abide by all lawful rules promulgated. Applicant also agrees to authorize the person named in Section 1 above to accept and carry out directives of the Division.

This is a continuing application and applicant must without inquiry from the Division, supplement and update the information herein provided as may from time to time be necessary.

SIGNATURE MUST BE NOTARIZED OR CERTIFIED IN ONE OF THE FOLLOWING SECTIONS

STATE OF _____	SS
COUNTY OF _____	_____, being duly sworn, deposes and says that he signed the
foregoing application as _____	_____
_____ (Official Title)	of the above named applicant, having full authority to sign such application in said capacity; that he has read said application and that the information contained therein is true as he verily believes.
_____ (Signature)	Subscribed and sworn to before me this _____ day of _____, 20____
(NOTORIAL SEAL)	_____ (Notary Public)
My commission expires _____	

Pursuant to SDCL 23A-16 as amended, person(s) signing may sign the following statement in lieu of the above oath. "I declare and affirm under the penalties of perjury that this claim (petition, application, information) has been examined by me, and to the best of my knowledge and belief, is in all things true and correct." Any person who signs this statement, knowing the same to be false or untrue, in whole or in part, shall be guilty of perjury.		
_____ Signature	_____ Name and title (printed)	_____ Date

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 and Address)

Dated _____, 20____

By _____

Title _____

(Seal)

By _____

Title _____

