



# NON-RESIDENTIAL MORTGAGE LENDER LICENSE APPLICATION

**Mail completed applications to:** South Dakota Division of Banking  
1601 N. Harrison Avenue, Suite 1  
Pierre, SD 57501

Date Received:

Approved

Denied

By: \_\_\_\_\_

Date: \_\_\_\_\_

**All answers must be typewritten or printed legibly. All signatures must be in ink.**

## 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:	(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	
(zip)	
Phone Number ext.	Email address

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

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

## Section 2

1. Indicate legal status of applicant:

Corporation

Sole Proprietorship

Partnership

Limited Liability Company

Other (specify)

2. If other than a sole proprietor, indicate date and place applicant obtained its legal status (i.e., state or country where incorporated, where partnership agreement was filed, or where applicant entity was formed):

State/Country of formation

Date

3. Federal Employer ID Number (FEIN), or if sole proprietor, Social Security Number:

4. Applicant's fiscal year end:



**Section 4 Criminal, Regulatory Action and Financial Disclosure**

Yes No

- 1. In the past ten years, has the applicant or a control person listed in Section 3:
  - 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 3:
  - 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 them?.....

**\*\*If you checked “yes” to any of the above questions in Section 4, please provide details on a separate page.\*\***



**Section 7 Do you understand that:**

Yes No

- a. **This license covers Non-Residential Mortgage lending ONLY.** Residential Mortgage lending requires application through the NMLS and compliance with all sections of SDCL 54-14.
- 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. This license must be renewed by December 1 of each year?
- e. 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 k \_\_\_\_\_)?
- f. Any false statement in your application for a license is cause for suspension or revocation of your license?
- g. This license is not transferable?
- h. Incomplete applications will be returned?

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/she signed the forgoing application as \_\_\_\_\_ (Official Title)

of the above named applicant, having full authority to sign such application in said capacity; that he/she has read said application and that the information contained therein is true as he/she verily believes.

\_\_\_\_\_  
(Signature)

Subscribed and sworn 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