



WI Payday Lender License New Application Checklist (Company)

CHECKLIST SECTIONS

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GENERAL INFORMATION

Who Is Required to Have This License?

Any company, partnership or sole proprietor that originates or services a payday loan involving a Wisconsin resident. If the main office location (headquarters) will be engaging in Wisconsin payday lending activity or retaining records, the main office location is the “Company” license. If more than one location is being licensed, the remaining locations should be designated as a “Branch.” Companies whose main office location will NOT be engaging in Wisconsin payday lending activity or retaining records should instead submit a [WI Payday Lender Registration \(Main Office-No Activity\) New Application](#). Banks, savings banks, savings and loan associations, trust companies, credit unions or any of their affiliates do not need this license. Additionally, Wis. Stat. s. 138.14(3)(b) indicates that a payday lender license is not required for any transaction in which no finance charge, and no other fees or charges of any kind, are required or accepted, at any time, from the person receiving a loan.

Payday lenders must comply with 138.14, Wis. Stats.; however, there are also many other state statutes and rules that include provisions that apply to payday lenders. Some of these regulations include:

- **Chapter DFI-Bkg 75, Admin. Code** – rules pertaining to payday lending.
- **Chapters 421 – 427, Wis. Stats.** – also known as the Wisconsin Consumer Act.
- **Chapter DFI-WCA 1, Admin. Code** – rules pertaining to the Wisconsin Consumer Act.
- **Chapter 766, Wis. Stats.** – Wisconsin’s marital property law. It includes information about the marital property notice that must be included in written applications for credit and the notice that lenders must send to non-applicant spouses.

Activities Authorized Under This License

This license authorizes the following activities...

- Payday Lending – storefront
- Payday lending – online
- Other-Consumer Finance

Pre-Requisites for License Applications

- Zoning Permit Information – Wis. Stat. ss. 59.69(4h) and 62.23(7)(hi) indicate that a payday lender cannot operate in a city or county unless it has received a permit to do so from either the city council or county zoning agency. These statutes also indicate that a payday lender cannot be located within 1,500 feet of another payday lender or within 150 feet of a single-family or 2-family residential zoning district. A city or county may enact a zoning ordinance that contains provisions that are stricter than the above noted provisions. Please contact the appropriate city or county zoning agency to obtain the permit that is required by the above noted statutes.

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 Description and Examples](#).
- Only upload documents relevant to the company application.
- 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

- [Company Form \(MU1\) Filing Instructions](#)
- [Document Upload Description 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 DFI's Division of Banking at 608-261-7578 or send your questions to Jessica.Ewig@dfi.wisconsin.gov for additional assistance.

For U.S. Postal Service:

Wisconsin Department of Financial Institutions
Division of Banking
PO Box 7876
Madison, WI 53707-7876

For Overnight Delivery:

Wisconsin Department of Financial Institutions
Division of Banking
North Tower
4822 Madison Yards Way
Madison, WI 53705

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	WI Payday Lender License	Submitted via...
<input type="checkbox"/>	WI License/Registration Fee: \$500 Annual Licensing WI Application Fee: \$300 Nonrefundable Investigation Fee NMLS Initial Processing Fee: \$0	NMLS (Filing submission)
<input type="checkbox"/>	Credit Report for Control Persons: \$15 per control person.	NMLS (Filing submission)
<input type="checkbox"/>	FBI Criminal Background Check for MU2 Individual: \$36.25 per person.	NMLS (Filing submission)

REQUIREMENTS COMPLETED IN NMLS

Complete	WI Payday Lender License	Submitted via...
<input type="checkbox"/>	Submission of Company Form (MU1): Complete and submit the Company Form (MU1) in NMLS. This form serves as the application for the license through NMLS. If the main office location is required to be licensed, the main office location is the "Company" license and the Company Form (MU1) must be completed. Any additional locations should be designated as a "Branch" and the Branch Form (MU3) must be completed for each additional location. If the main office location is not required to be licensed, instead submit a WI Payday Lender Registration (Main Office-No Activity) New Application .	NMLS
<input type="checkbox"/>	Financial Statements: Upload an internally prepared balance sheet and income statement that was prepared in accordance with Generally Accepted Accounting Principles and dated within 90 days of the date of the application. If the applicant is a sole proprietorship, file a personal financial statement dated no more than 90 days prior to the date of the application. If the applicant is a partnership, file a personal financial statement for each partner dated no more than 90 days prior to the date of the application. A minimum tangible net worth of \$50,000 and positive working capital is required. When evaluating a financial statement, the division typically discounts intangible assets; receivables from officers, stockholders, and other related parties; employee advances; receivables over 120 days past due; and any other assets of questionable value. Audited financial statements for the most recent fiscal year end should also be	NMLS

	submitted if the applicant is audited by a Certified Public Accountant on an annual basis. Note: Financial statements are uploaded separately under the Filing tab and <i>Financial Statement</i> submenu link. See the Financial Statements Quick Guide for instructions.	
<input type="checkbox"/>	Other Trade Name: 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 <i>Other Trade Names</i> section of the Company Form (MU1). WDFI does not allow more than five other trade names.	NMLS
<input type="checkbox"/>	Resident/Registered Agent: The Resident/Registered Agent must be listed under the <i>Resident/Registered Agent</i> section of the Company Form (MU1).	NMLS

<input type="checkbox"/>	Primary Contact Employees: The following individuals must be entered into the <i>Contact Employees</i> section of the Company Form (MU1). <ol style="list-style-type: none"> Primary Company Contact. The individual named as the primary company contact must be responsible for receiving communication from WDFI, including the annual report. Primary Consumer Complaint Contact. The individual named as the primary consumer complaint contact must be responsible for receiving communication from WDFI pertaining to consumer complaints. 	NMLS
<input type="checkbox"/>	Non-Primary Contact Employees: WDFI requires that an individual(s) be identified as a Non-Primary Contact for the following areas. These contacts must be listed in the <i>Contact Employees</i> section of the Company Form (MU1). <ol style="list-style-type: none"> Licensing Consumer Complaint (Public) Exam Delivery Pre-Exam Contact 	NMLS
Note	Bank Account: Bank account information is not required. The <i>Bank Account</i> section of the Company Form (MU1) can be left blank.	N/A
<input type="checkbox"/>	Disclosure Questions: 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 Company Disclosure Explanations Quick Guide for instructions.	Upload in NMLS in the <i>Disclosure Explanations</i> section of the Company Form (MU1) or Individual Form (MU2).
Note	Qualifying Individual: The <i>Qualifying Individual</i> section is not required and can be left blank on the Company Form (MU1).	N/A
<input type="checkbox"/>	Control Person (MU2) Attestation: 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).	NMLS

<input type="checkbox"/>	<p>Credit Report: Individuals in a position of <u>control</u> are required to authorize a credit report through NMLS. Key officers include, but are not limited to, chief executive officer, chief operating officer, chief financial officer, president, executive or senior vice president (or highest-level vice president if there is no executive or senior vice president), secretary, and treasurer. Individuals will be required to complete an Identity Verification Process (IDV) along with an individual attestation before a license request for your company can be filed through NMLS.</p>	<p>NMLS</p>
<input type="checkbox"/>	<p>MU2 Individual FBI Criminal Background Check Requirements: The following Individuals, as specified below, on the Company Form (MU1) are required to authorize an FBI criminal background check (CBC) through NMLS.</p> <p><i>Direct Owners</i></p> <ul style="list-style-type: none"> • Individuals owning 10% or more of the applicant. <p><i>Indirect Owners</i></p> <ul style="list-style-type: none"> • Individuals with the power to direct the management or policies of the applicant who indirectly own 25% or more of the applicant. <p><i>Key Officers, Key Members, or Partners of the applicant</i></p> <ul style="list-style-type: none"> • Key officers include, but are not limited to, the chief executive officer, chief operating officer, chief financial officer, president, executive or senior vice president (or the highest-level vice president if there is no executive or senior vice president) secretary, and treasurer. <p>After authorizing an FBI criminal background check through the submission of the Company Form (MU1) and Individual Form (MU2), you must schedule an appointment to be fingerprinted if new prints are required.</p> <p>See the Criminal Background Check section of the NMLS Resource Center for more information.</p> <p>Note: If you are able to 'Use Existing Prints' to process the FBI criminal background check, you DO NOT have to schedule an appointment. NMLS will automatically submit the fingerprints on file.</p>	<p>NMLS</p>

REQUIREMENTS/DOCUMENTS UPLOADED IN NMLS		
Complete	WI Payday Lender License	Submitted via...
<input type="checkbox"/>	<p>Business Plan: Upload a business plan outlining the following information:</p> <ul style="list-style-type: none"> • Marketing strategies • Products • Target markets • Fee schedule • Operating structure the applicant intends to employ. • Management Team <p>This document should be named <i>[Company Legal Name] Business Plan</i>.</p> <p>Note: If the existing uploaded business plan already includes the above information, an additional document does not need to be uploaded. A company should only upload a single business plan. If state-specific material is required, this information should be added to the existing uploaded business plan.</p>	<p>Upload in NMLS: under the Document Type “Business Plan” in the <i>Document Uploads</i> section of the Company Form (MU1).</p>
<input type="checkbox"/>	<p>Good Standing Certificate: Upload a State-issued and approved document (typically by the Secretary of State’s office) from the state of organization or incorporation, if other than Wisconsin, dated not more than 90 days prior to the filing of the application through NMLS.</p> <p>This document should be named <i>[State prefix] Certificate of Good Standing</i>.</p>	<p>Upload in NMLS: under the Document Type “Certificate of Authority/Good Standing Certificate” in the <i>Document Uploads</i> section of the Company Form (MU1).</p>
<input type="checkbox"/>	<p>Document Samples: Upload copies of the following sample documents used in the regular course of business in connection with this license:</p> <ul style="list-style-type: none"> • Loan Agreement: Upload the proposed loan agreement if the applicant is not in operation or intends to consummate loans away from the licensed location. • Consumer Consent Statement: Upload the consumer consent statement that is required under the Electronic Signatures in Global and National Commerce Act if the applicant will be consummating loans via the internet or by facsimile. • Repayment Plan Agreement: Upload the proposed repayment plan agreement. <p>This document should be named <i>[Name of Document Sample]</i>.</p>	<p>Upload in NMLS: under <u>Document Samples</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p>
<input type="checkbox"/>	<p>Management Chart: Submit a management chart displaying the applicant’s directors, officers, and managers (individual name and title). It must also identify compliance reporting and internal audit structure.</p> <p>The chart should include the applicant’s directors and officers.</p> <p>This document should be named <i>[Company Legal Name] Management Chart</i>.</p>	<p>Upload in NMLS: under <u>Management Chart</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p>

	<p>Note: If the existing uploaded management chart already includes the above information, an additional document does not need to be uploaded. A company should only upload a single management chart.</p>	
<input type="checkbox"/>	<p>Organizational Chart/Description: Submit a chart showing (or a description which includes) the percentage of ownership of:</p> <ul style="list-style-type: none"> • Direct Owners (total direct ownership percentage must equate to 100%) • Indirect Owners • Subsidiaries and Affiliates of the applicant/licensee <p>This document should be named <i>[Company Legal Name] Organizational Chart/Description</i>.</p>	<p>Upload in NMLS: under <u>Organizational Chart/Description</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p>
<input type="checkbox"/>	<p>Surety Bond. Upload a WI payday lender bond in the amount of \$5,000 per location to NMLS <u>and</u> mail the original bond to WDFI. The bond must be furnished by a surety company authorized to conduct business in Wisconsin. The name of the principal insured on the bond must exactly match the full legal name of applicant, including any Other Trade Names. Use the surety bond form found at the WDFI website.</p> <p>This document should be named <i>WI Payday Lender Surety Bond</i>.</p>	<p>Upload in NMLS: under <u>Surety Bond</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p> <p>AND</p> <p>Mail to WDFI</p>
INDIVIDUAL (MU2) DOCUMENTS UPLOADED IN NMLS		
<input type="checkbox"/>	<p>Credit Report Explanations: Submit a line by line, detailed letter of explanation of all derogatory credit accounts along with proof of payoffs, payment arrangements and evidence of payments made, or evidence of any formal dispute filed (documents must be dated). Accounts to address include, but are not limited to: collections items, charge offs, accounts currently past due, accounts with serious delinquencies in the last 3 years, repossessions, loan modifications, etc.</p> <p>Note: Items regarding bankruptcy, foreclosure actions, outstanding judgments or liens, or delinquent child support payments should be addressed in the <i>Disclosure Explanations</i> section of your Individual Form (MU2).</p> <p>This document should be named <i>Credit Report Explanations – Sub Name – Document Creation Date</i>.</p>	<p>Upload in NMLS: under the Document Type <u>Credit Report Explanations</u> in the <i>Document Uploads</i> section of the Individual Form (MU2).</p>

NMLS ID Number	
Applicant Legal Name	

REQUIREMENTS SUBMITTED OUTSIDE OF NMLS		
Complete	WI Payday Lender License	Submitted via...
<input type="checkbox"/>	Business Activity: Provide a statement as to whether the company location will originate, service or store Wisconsin payday loans and submit a list of other types of business that will be conducted by the licensee or others at the location. If no other business will be conducted, state "No other business will be conducted."	Mail to WDFI or email to DFI_LFS@wi.gov
<input type="checkbox"/>	Supplemental Questions: Complete the Supplemental Payday Lender Application Questions Form and send it to WDFI.	Mail to WDFI or email to DFI_LFS@wi.gov