## **CHECKLIST SECTIONS**

- General Information
- Amendments

### **GENERAL INFORMATION**

## **Instructions**

When making changes to your record in NMLS, Colorado Division of Banking requires advance notification for some changes. See the checklist below for details.

## **Uploading Agency-Specific Documents**

If you are required to upload documents to NMLS for an Advance Change Notice (ACN), select "Advance Change Notice" for the document type in the NMLS Document Uploads section. If you are required to upload documents for an amendment that doesn't require ACN, select the applicable document type in the NMLS Document Uploads section.

**Note:** Use the recommended filing naming convention found on the <u>Document Upload Descriptions and</u> Examples.

### **Helpful Resources**

- Amendments & Advance Change Notice
- Document Uploads Quick Guide
- <u>Document Upload Descriptions and Examples</u>

## **Agency Contact Information**

Contact Colorado Division of Banking licensing staff by phone at (303) 894-7575 or send your questions via email to <u>dora applications@state.co.us</u> for additional assistance.

## For U.S. Postal Service and Overnight Delivery:

Colorado Division of Banking Applications Manager 1560 Broadway, Suite 975 Denver, CO 80202

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.

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#### **AMENDMENTS**

- Change of Legal Name
- Change of Main Address
- Addition or Modification of Other Trade Name
- Deletion of Other Trade Name
- Change of Legal Status
- Addition or Modification of Affiliates/Subsidiaries
- Addition or Modification of Direct Owners
  - o Change of Control: \$2,000

# Colorado Banking Board Rule MO5 – CHANGE OF CONTROL (§11-110-112, C.R.S.)

- A. A person has control over a licensee if:
  - 1. The person directly or indirectly or acting through one or more other persons owns, controls, or has power to vote 25 percent or more of any class of voting securities of the licensee; or
  - 2. The Banking Board determines, after notice and opportunity for hearing, that the person directly or indirectly exercises a controlling influence over the activities of the licensee.
- B. In any case in which a person or a group of persons, directly or indirectly or acting by or through one or more persons, proposes to purchase or acquire a controlling interest in a licensee, and thereby to change the control of that licensee, each person or group of persons shall provide written notice to the Commissioner.
  - 1. A licensee the stock of which is traded on an organized stock exchange and a licensee which is a direct or indirect subsidiary of a publicly traded corporation shall provide the Commissioner with written notice within 15 days after knowledge of such change in control.
  - 2. A licensee which is not a corporation, or a corporation the stock of which is not publicly traded, shall provide the Commissioner with not less than 30 days prior written notice of such proposed change in control.
- Addition or Modification of Indirect Owners/Executive Officers
- Change of Disclosure Question(s)

**Note:** Information uploaded or filed in NMLS will not be viewable to the agency until the filing has been attested to and submitted through NMLS. Agency-specific requirements that should be emailed or mailed to the agency on the checklist below must be received with the appropriate checklist within five (5) business days of the electronic submission of your filing through NMLS.

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Complete	CO-DOB Money Transmitters License Change of Legal Name Amendment Items	Submitted via
	Change of Legal Name: Submit an amendment for a change of Legal Name through the Company Form (MU1) in NMLS.	NMLS
Note	Change of Legal Name Fee: \$0 per license  Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE.	N/A

Complete	CO-DOB Money Transmitters License Change of Main Address Amendment Items	Submitted via
	Change of Main Address: Submit an amendment for a change of Main (Corporate) Address through the Company Form (MU1) in NMLS.	NMLS
Note	Change of Main Address: \$0 per license  Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE.	N/A

Complete	CO-DOB Money Transmitters License Addition or Modification of Other Trade Name Amendment Items	Submitted via
	Addition or Modification of Other Trade Name: Submit an amendment for an addition of or change to an Other Trade Name through the Company Form (MU1) in NMLS.	NMLS
Note	Addition of Other Trade Name \$0 per license.  Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE.	N/A

Complete	CO-DOB Money Transmitters License Deletion of Other Trade Name Amendment Items	Submitted via
	Deletion of Other Trade Name: Submit an amendment for deletion of an Other Trade Name through the Company Form (MU1) in NMLS.  If deleting an Other Trade Name, this name must be removed from the Other Trade Names section of the Company Form (MU1).	NMLS

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Complete	CO-DOB Money Transmitters License Change of Legal Status Amendment Items	Submitted via
Note: In many cases, a change to the Fiscal Year End, Legal Status, and State or Date of Formation indicates a new entity has been formed and a new NMLS record is required. This includes the creation of a new NMLS account and submission of a new Company Form (MU1).		
	Change of Legal Status: Submit an amendment for a change in Legal Status within the Company Form (MU1) in NMLS.	NMLS

Complete	CO-DOB Money Transmitters License  Addition or Modification of Affiliates/Subsidiaries Amendment Items	Submitted via
	Addition or Modification of Affiliates/Subsidiaries: Submit an amendment for an addition or change in Affiliates/Subsidiaries within the Company Form (MU1) in NMLS.	NMLS

Complete	CO-DOB Money Transmitters License  Addition or Modification of Direct Owners Amendment Items (Change of Control)	Submitted via
	Addition or Modification of Direct Owners (Change of Control): Submit an ACN for an addition or change in Direct Owners of 25% or more (and any related changes in Executive Officers, if applicable) within the Company Form (MU1) in NMLS. Also submit any additional documents as specified in this checklist for a Change of Control. A minimum of 30 days' written notice must be provided for this addition or modification.	NMLS
	Please note the Colorado Banking Board must approve any change in Direct Owners of 25% or more and 30 days may not provide enough time; the Colorado Division of Banking recommends any change in Direct Owners be provided as soon as possible to ensure timely review and approval.	
	Change of Control: \$2,000	NMLS (Agency Fee Invoice)
Note	Credit Report: Credit Reports and authorizations for credit report through NMLS are not required.	N/A
	FBI Criminal Background Check for MU2 Individual: \$36.25 per person.	NMLS (Filing submission)

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Complete	CO-DOB Money Transmitters License	Submitted via
	Addition or Modification of Direct Owners Amendment Items (Change of Control)	
	MU2 Individual FBI Criminal Background Check Requirements: When added to the Company Form (MU1), the following Individuals, as specified below, are required to authorize a FBI criminal background check (CBC) through NMLS.	NMLS
	Individuals who have responsibility over the Applicant's licensed activities, which includes all executive officers, managers, directors, partners, key shareholders, and/or owners of the Applicant.	
	Owners - The person who directly or indirectly or acting through one or more other persons owns, controls, or has power to vote 25 percent or more of any class of voting securities of the licensee.	
	After authorizing a 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.	
	See the <u>Criminal Background Check section</u> of the NMLS Resource Center for more information.	
	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.	
	Personal Financial Statement: The individuals listed above in the MU2 Individual FBI Criminal Background Check Requirements section are required to upload a personal financial statement.	Upload in NMLS: under the Document Type Personal Financial
	The Personal Financial Statement can be pages 14-20 of the commonly used Interagency Biographical and Financial Report, which can be found on the Division's website under Money Transmitter Application documents, or similar.	Statement in the Document Uploads section of the Individual Form (MU2).
	This document should be named [State Abbreviation] – Personal Financial Statement.	
	State Background Check Authorization: The individuals listed above in the MU2 Individual FBI Criminal Background Check Requirements section are required to upload a personal financial statement.	Upload in NMLS: under the Document Type State Background Check
	Click <u>here</u> to access the form.	Authorization in the Document Uploads
	Fingerprint cards are also required to be submitted. See REQUIREMENTS SUBMITTED OUTSIDE OF NMLS below for details.	section of the Individual Form (MU2).
	Note: This is separate from the NMLS federal background check for the submission of the Individual Form (MU4).	
	This document should be named [State Abbreviation] – BC Authorization.	

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Complete	CO-DOB Money Transmitters License	Submitted via
	Addition or Modification of Direct Owners Amendment Items (Change of Control)	
	Colorado Background Checks: In addition to the FBI background checks completed through NMLS, the individuals listed above in the MU2 Individual FBI Criminal Background Check Requirements section are required to obtain Colorado background checks from the Colorado Bureau of Investigation (CBI).  The CBI fingerprint card and submission instructions can be found at the following link: CBI Employment and Background Checks. CBI has two approved vendors: IdentoGo & Colorado Fingerprinting; select one of the options and follow the instructions online.  The following information should be used in the corresponding fields of the background check enrollment for each vendor:  IdentoGo  Service Name: Division of Banking – Money Transmitter  Service Code: 25YKZ3  Please contact vendor at 844.539.5539 or visit https://uenroll.identogo.com if you have any questions or need assistance.  Note: The Division can provide payment vouchers for IdentoGo; please email dora applications@state.co.us with the company and individual names for voucher codes.  Colorado Fingerprinting:  CBI Unique Code: 4141MTTI  Reason Fingerprinted: CO DORA Division of Banking – Money Transmitter  Please contact vendor at 720-292-2722, toll free 833-224-2227, or email info@coloradofingerprinting.com if you have any questions or need assistance.	Fingerprints to be submitted to CBI. Results will be sent by CBI to Colorado Division of Banking.

Complete	CO-DOB Money Transmitters License  Addition or Modification of Indirect Owners (under 25%)/Executive Officers Amendment Items	Submitted via
	Addition or Modification of Indirect Owners (not part of Change of Control described above): Submit an amendment for an addition or change in Indirect Owners (under 25%) within the Company Form (MU1) in NMLS. Written notice via ACN must be provided within 15 days of the addition or modification.	NMLS
	No other documentation (fingerprint cards, personal financial statements, etc.) are required for this category of addition or modification.	

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Complete	CO-DOB Money Transmitters License  Addition or Modification of Indirect Owners (under 25%)/Executive Officers Amendment Items	Submitted via
	Addition or Modification of Executive Officers (not part of Change of Control described above): Submit an ACN for an addition or change in Executive Officer within the Company Form (MU1) in NMLS. Written notice via ACN must be provided within 15 days of the addition or modification.  No other documentation (fingerprint cards, personal financial statements, etc.) are required for this category of addition or modification.	NMLS
Note	Credit Report: Credit Reports and authorizations for credit report through NMLS are not required.	N/A
Note	MU2 Individual FBI Criminal Background Check Not Required Through NMLS: Indirect Owners are NOT required to authorize a FBI criminal background check (CBC) through NMLS.	N/A

Complete	CO-DOB Money Transmitters License Change of Disclosure Question(s) Amendment Items	Submitted via
	Change of Disclosure Question(s): Submit an amendment for a change to Disclosure Question response(s) through the Company Form (MU1) in NMLS.	NMLS
	Changing a Response from No to Yes: Provide a complete and detailed explanation and document upload for each response that changes from "No" to "Yes" for company or each control person.  See the Company Disclosure Explanations Quick Guide for instructions.	Upload in NMLS in the Disclosure Explanations section of the Company Form (MU1) or Individual Form (MU2).
	Changing a Response from Yes to No: When changing a Disclosure Question response from Yes to No, you will be required to remove the question from the associated Disclosure Explanation and provide an Amendment Reason.  You must select "Add Explanation for "No" Responses" and provide an explanation for each response that changes from "Yes" to "No" for company or each control person. You must also upload a document (PDF) related to the explanation.  See the Company Disclosure Explanations Quick Guide for instructions.	NMLS

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