



Company Amendments Agency Requirements



HAWAII MONEY TRANSMITTER LICENSE

Instructions

Hawaii requires notification of certain changes when a licensee wishes to change its records in NMLS. In certain circumstances, Hawaii requires prior application for approval by DFI before the changes can be implemented.

Notification required for extraordinary events

Within fifteen (15) business days of the occurrence of any of the events listed below, a licensee shall submit an Advanced Change Notice and upload a written notice to NMLS describing the event and its expected impact on the licensee's activities in Hawaii.

The events are:

- Any material change in information provided in a licensee's application or annual report; i.e., licensee's principal place of business, change of officers or managers, change of the business structure, change of business activities in the State, etc.
- The filing for bankruptcy or reorganization by the licensee;
- Pending or final revocation, suspension, or other enforcement action against the licensee by any state or governmental authority relating to the licensee's money transmission activities;
- Any felony indictment of the licensee or any of its key shareholders, principals, executive officers, or officers or managers in charge of the licensee's activities, related to money transmission activities; and
- Any felony conviction of the licensee or any of its key shareholders, principals, executive officers, or officers or managers in charge of the Licensee's activities, related to money transmission activities.

Prior approval from DFI required

A licensee shall submit an Advance Change Notice in NMLS and pay a non-refundable fee when making the following changes. The application shall be approved if DFI is satisfied the change complies with all applicable laws.

- Legal name change: \$1,000 non-refundable fee; and
- Addition or deletion of trade name: \$1,000 non-refundable fee.

A licensee shall submit an Advanced Change Notice, pay a non-refundable fee and upload supporting information as needed for a proposed:

- Change in Control: \$2,500 nonrefundable fee.

DFI shall approve a request for a change in control if, after investigation, DFI determines that the person or group of persons requesting approval has the competence, experience, character, and general fitness to control the licensee or person in control of the licensee in a lawful and proper manner, and that the interests of the public will not be jeopardized by the change of control.

For person exempt from the requirement of obtaining prior approval (see [HRS Section 489D-15\(d\)](#)), licensee shall file a notification with DFI of the change in control.

How to submit Agency specific documents

1. Unless otherwise provided for, all changes require a notice or application for approval be uploaded to NMLS and/or mailed to DFI at the address below. If you choose to mail the document(s), you must mail the document(s) along with the checklist within 5 business days to the following address:

For U.S. Postal Service:

*Division of Financial Institutions
Department of Commerce and Consumer Affairs
P.O. Box 2054
Honolulu, HI 96805*

For Overnight Delivery:

*Division of Financial Institutions
Department of Commerce and Consumer Affairs
King Kalakaua Building
335 Merchant Street, Rm. 221
Honolulu, HI 96813*

NMLS Unique ID Number: _____

Applicant Legal Name: _____

FILED IN NMLS	ATTACHED	NOT APPLICABLE	REQUIRED ADVANCE CHANGE NOTICE ITEM
<input type="checkbox"/>	N/A	<input type="checkbox"/>	<p>CHANGE OF PRINCIPAL ADDRESS. Submit an Advance Change Notice through NMLS and upload a written notice to DFI within 15 business days of a proposed change of address of the Company's principal place of business providing the new address, effective date and any expected impact of the change of address.</p>
<input type="checkbox"/>	N/A	<input type="checkbox"/>	<p>CHANGE OF LEGAL NAME OR ADDITION OR DELETION OF TRADE NAME. Prior to a Change of Legal Name, or addition or deletion of a trade name, submit an Advanced Change Notice and upload a written Application to DFI requesting approval for the Name Change. A non-refundable fee of \$1,000 is required.</p> <p>Note: Application will not be reviewed until funds are received.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>CHANGE IN CONTROL - ADDITION OF DIRECT OR INDIRECT OWNERS. Prior to a Change in Control of the Company, submit an Advanced Change Notice and a written application for approval of a change in Direct Owners of the Company. A non-refundable fee of \$2,500 is required.</p> <p>DFI will submit an invoice through NMLS which will generate a notification to the company's contact person listed in NMLS. The invoice can be paid through NMLS using a credit card or checking account. The alternative is to send a check for the non-refundable application fee payable to the Department of Commerce and Consumer Affairs to the address listed above.</p> <p>Note: Application will not be reviewed until funds are received.</p> <p>EXEMPTIONS:</p> <p>§489D-15(d) The following persons are exempt from the requirements of subsection (a), <u>but the licensee regardless, shall notify the commissioner of a change of control:</u></p> <ul style="list-style-type: none"> (1) A person who acts as a proxy for the sole purpose of voting at a designated meeting of the security holders or holders of voting interests of a licensee or person in control of a licensee; (2) A person who acquires control of a licensee by devise or descent; (3) A person who acquires control as a personal representative, custodian, guardian, conservator, trustee, or as an officer appointed by a court of competent jurisdiction or by operation of law; or (4) A person who the commissioner, by rule or order, exempts in the public interest.

FILED IN NMLS	ATTACHED	NOT APPLICABLE	REQUIRED AMENDMENT ITEM
<input type="checkbox"/>	N/A	<input type="checkbox"/>	DISCLOSURE QUESTION CHANGES. Provide complete details of all events or proceedings for any "Yes" answer to any of the Disclosure Questions for Company, controlling person or executive officer.

WHO TO CONTACT – Contact **DFI** licensing staff by phone at **(808) 586-2820** or send your questions via e-mail to **dfi@dcca.hawaii.gov** for additional assistance.

THE APPLICANT/LICENSEE IS FULLY RESPONSIBLE FOR ALL OF THE REQUIREMENTS OF THE LICENSE FOR WHICH THEY ARE AMENDING. THE AGENCY SPECIFIC REQUIREMENTS CONTAINED HEREIN ARE FOR GUIDANCE ONLY TO FACILITATE AMENDMENT REQUEST THROUGH NMLS. SHOULD YOU HAVE QUESTIONS, PLEASE CONSULT LEGAL COUNSEL.