ND Money Broker
Amendment Checklist (Company)

CHECKLIST SECTIONS
- General Information
- Amendments

GENERAL INFORMATION

Instructions
The ND Dept. of Financial Institutions does not require advance notice for any changes; make the changes in NMLS as of the effective date and submit supporting documentation as instructed in the checklist below.

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 Document Upload Descriptions and Examples.

Helpful Resources
- Amendments & Advance Change Notice
- Document Uploads Quick Guide
- Document Upload Descriptions and Examples

Agency Contact Information
Contact ND Dept. of Financial Institutions Consumer Division by phone at (701) 328-9933 or send your questions via email to dfi@nd.gov for additional assistance.

For U.S. Postal Service:
ND Dept. of Financial Institutions
Non-Depository Division
2000 Schafer Street, Suite G
Bismarck, ND 58501

For Overnight Delivery:
ND Dept. of Financial Institutions
Non-Depository Division
2000 Schafer Street, Suite G
Bismarck, ND 58501

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.
AMENDMENTS

- **Change of Legal Name**
  - Change of Legal Name: $0

- **Change of Main Address**
  - Change of Main Address: $0

- **Addition or Modification of Other Trade Name**
  - Addition of Other Trade Names: $0

- **Deletion of Other Trade Name**
  - Deletion of Other Trade Name: $0

- **Change of Legal Status**
  - Change of Legal Status: $0

- **Addition or Modification of Affiliates/Subsidiaries**
  - Change to Affiliates/Subsidiaries: $0

- **Addition or Modification of Direct Owners/Executive Officers**
  - Change of Direct Owners/Executive Officers: $0 if not considered change of control

- **Addition or Modification of Indirect Owners**
  - Change of Indirect Owners: $0 if not considered change of control

- **Addition or Modification of Qualifying Individuals**
  - Change of Qualifying Individual: $0

- **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.
<table>
<thead>
<tr>
<th>Complete</th>
<th>ND Money Broker License</th>
<th>Change of Legal Name Amendment Items</th>
<th>Submitted via...</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>Change of Legal Name</strong>: Submit an amendment for a change of Legal Name through the Company Form (MU1) in NMLS.</td>
<td></td>
<td>NMLS</td>
</tr>
</tbody>
</table>
| **Note** | **Change of Legal Name Fee**: $0 per license  
Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE. |  | N/A |
|         | **Surety Bond Rider**: Contact the surety bond producer to inform them of the change and effective date so the producer can initiate the Surety Bond Rider Process in NMLS. Visit the [ESB for NMLS Licensees page](https://www.nmlsconsumeraccess.org/esb) of the NMLS Resource Center for more information about the Electronic Surety Bond process. |  | Electronic Surety Bond in NMLS |
|         | **Certificate of Authority/Good Standing Certificate**: For a name change, upload a copy of the amended Certificate of Authority issued by the North Dakota Office of the Secretary of State. Replace the prior issued certificate under the old name. |  | Upload in NMLS: under the Document Type Certificate of Authority/Good Standing Certificate in the Document Uploads section of the Company Form (MU1).  
**Titled**: ND Certificate of Authority OR ND Certificate of Good Standing. |
|         | **Formation Documents**: Formation Documents must be submitted related to this change type related to any amendments.  
Determine classification of applicant’s legal status and submit a State certified copy of the requested applicable documentation detailed below. Original formation documents and all subsequent amendments, thereto including a list of any name changes.  
**Unincorporated Association**:  
- By-Laws or constitution (including all amendments).  
**General Partnership**:  
- Partnership Agreement (including all amendments).  
**Limited Liability Partnership**:  
- Certificate of Limited Liability Partnership; and  
- Partnership Agreement (including all amendments).  
**Limited Partnership**:  
- Certificate of Limited Partnership; and  
- Partnership Agreement (including all amendments).  
**Limited Liability Limited Partnership**:  
- Certificate of Limited Liability Limited Partnership; and  
**Titled**: Formation Documentation [Date of Creation (MM-DD-YYYY)]. |
**Limited Liability Company ("LLC"):**
- Articles of Organization (including all amendments);
- Operating Agreement (including all amendments);
- IRS Form 2553 or IRS Form 8832 if S-corp treatment elected; and
- LLC resolution if authority not in operating agreement.

**Corporation:**
- Articles of Incorporation (including all amendments);
- By-laws (including all amendments), if applicable;
- Shareholder Agreement (including all amendments), if applicable;
- IRS Form 2553 if S-corp treatment elected; and
- Corporate resolution if authority to complete application not in By-Laws or Shareholder Agreement, as amended, as applicable.

**Not for Profit Corporation**
- Documents requested of a Corporation; and
- Proof of nonprofit status
  - Internal Revenue Service ("IRS") 501(c)(3) designation letter; or
  - Statement from a State taxing body or the State attorney general certifying that: (i) the entity is a nonprofit organization operating within the State; and (ii) no part of the entity’s net earnings may lawfully benefit any private shareholder or individual; or
  - Entity’s certificate of incorporation or similar document if it clearly establishes the nonprofit status of the applicant; or
  - Any of the three preceding items described, if that item applies to a State or national parent organization, together with a statement by the State or parent organization that the applicant is a local nonprofit affiliate.

**Trust (Statutory)**
- Certificate of Trust; and
- Governing instrument (all amendments).

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<td></td>
<td><strong>Change of Main Address Amendment Items</strong></td>
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<tr>
<td></td>
<td>Change of Main Address: Submit an amendment for a change of Main (Corporate) Address through the Company Form (MU1) in NMLS.</td>
<td>NMLS</td>
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<td></td>
<td><strong>Note</strong></td>
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<td></td>
<td>Change of Main Address: $0 per license</td>
<td>N/A</td>
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<td></td>
<td><strong>Addition or Modification of Other Trade Name Amendment Items</strong></td>
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<tr>
<td></td>
<td>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.</td>
<td>NMLS</td>
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</table>
### Note

<table>
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<tr>
<th>Note</th>
<th><strong>Addition of Other Trade Name</strong> $0 per license. Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE.</th>
<th>N/A</th>
</tr>
</thead>
</table>

#### Trade Name/Assumed Name Registration Certificates

- **Trade Name/Assumed Name Registration Certificates**: Trade Name/Assumed Name Registration Certificates issued by the North Dakota Secretary of State’s Office must be uploaded related to this change type.

  - **Upload in NMLS**: under the Document Type Trade Name/Assumed Name Registration Certificates in the Document Uploads section of the Company Form (MU1).

### Complete | **ND Money Broker License** | **Submitted via...** |

#### Deletion of Other Trade Name Amendment Items

- **Deletion of Other Trade Name**: Submit an amendment for deletion of an Other Trade Name through the Company Form (MU1) in NMLS.

  - **NMLS**

### Complete | **ND Money Broker License** | **Submitted via...** |

#### Change of Legal Status Amendment Items

- **Change of Legal Status**: Submit an amendment for a change in Legal Status within the Company Form (MU1) in NMLS.

  - **NMLS**

### Complete | **ND Money Broker License** | **Submitted via...** |

#### Addition or Modification of Affiliates/Subsidiaries Amendment Items

- **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**

- **Company Organizational Chart**: Please make any necessary amendments to the company organization chart that is currently located in the Document Upload section of the Company Form (MU1).

  - **Upload in NMLS**: Amend document maintained in the Document Uploads section of the Company Form (MU1).
<table>
<thead>
<tr>
<th>Complete</th>
<th>ND Money Broker License Addition or Modification of Direct Owners/Executive Officers Amendment Items</th>
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<td><strong>Addition or Modification of Direct Owners/Executive Officers</strong>: Submit an amendment for an addition or change in Direct Owners/Executive Officers within the Company Form (MU1) in NMLS.</td>
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<tr>
<td></td>
<td><strong>Credit Report for Control Persons</strong>: $15 per control person.</td>
<td>NMLS (Filing submission)</td>
</tr>
<tr>
<td></td>
<td><strong>Credit Report</strong>: Individuals in a position of control are required to authorize a credit report through NMLS. 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.</td>
<td>NMLS</td>
</tr>
<tr>
<td></td>
<td><strong>FBI Criminal Background Check for MU2 Individual</strong>: $36.25 per person.</td>
<td>NMLS (Filing submission)</td>
</tr>
<tr>
<td></td>
<td><strong>MU2 Individual FBI Criminal Background Check Requirements</strong>: 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.</td>
<td>NMLS</td>
</tr>
<tr>
<td></td>
<td><strong>Direct Owners</strong>: Any individual that owns, beneficially owns, has the right to vote, or has the power to sell or direct the sale of 10% or more of stock or a class of voting security of the applicant or licensee.</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Executive Officers/Control Persons</strong>: Individuals, regardless of title, who have the power, directly or indirectly, to direct the management or policies of a company by contract or otherwise. Includes: Board of Directors; President, Executive Vice President, Senior Vice President, Treasurer, Secretary, or similarly elected or appointed senior corporate officers; Chief Executive Officer, Chief Financial Officer, Chief Operations Officer, and Chief Compliance Officer/BSA Officer.</td>
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<tr>
<td></td>
<td>See the <a href="https://www.nmlsconsumeraccess.org">Criminal Background Check section</a> of the NMLS Resource Center for more information.</td>
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<td></td>
<td><strong>Note</strong>: Please authorize access for North Dakota to view the background check prior to submitting the request. 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. 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.</td>
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</tr>
<tr>
<td></td>
<td><strong>CHANGE IN OWNERSHIP or CHANGE IN CONTROL</strong> - Provide a letter of explanation of the change including proposed new ownership or the proposed change in control. A new application may be required for a 25% or more change in ownership. If it has been determined a new application is required, the</td>
<td></td>
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<td></td>
<td><strong>Upload in NMLS</strong>: under the Document Type <strong>Advance Change Notice</strong> in the <a href="https://www.nmlsconsumeraccess.org">Document Uploads</a></td>
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</tr>
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</table>
Department will invoice a change of control fee of $800 through NMLS and set license items for any additional items required relating to the change of control. AND/OR Email to the ND Dept. of Financial Institutions: dfi@nd.gov

Management Chart: Please make any necessary amendments to the company management chart currently located in the Document Upload section of the Company Form (MU1).

Note: A company should only upload a single management chart.

Company Organizational Chart: Please make any necessary amendments to the company organization chart that is currently located in the Document Upload section of the Company Form (MU1).

Note: A company should only upload a single organizational chart.

| Complete | ND Money Broker License Additions or Modifications of Indirect Owners Amendment Items | Submitted via...
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<td><strong>Addition or Modification of Indirect Owners</strong>: Submit an amendment for an addition or change in Indirect Owners within the Company Form (MU1) in NMLS.</td>
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<td><strong>Credit Report</strong>: Individuals in a position of control are required to authorize a credit report through NMLS. 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.</td>
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<td></td>
<td><strong>FBI Criminal Background Check for MU2 Individual</strong>: $36.25 per person.</td>
<td>NMLS (Filing submission)</td>
</tr>
<tr>
<td></td>
<td><strong>MU2 Individual FBI Criminal Background Check Requirements</strong>: When added to the Company Form (MU1), Indirect Owners, as specified below, are required to authorize a FBI criminal background check (CBC) through NMLS. <strong>Indirect Owners</strong>: Any individual that directly or indirectly, has the right to vote 10% or more of a class of a voting security or has the power to sell or direct the sale of 10% or more of stock or a class of voting security of</td>
<td>NMLS</td>
</tr>
</tbody>
</table>
See the [Criminal Background Check section](#) of the NMLS Resource Center for more information.

**Note:** Please authorize access for North Dakota to view the background check prior to submitting the request. 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. 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.

**CHANGE IN OWNERSHIP or CHANGE IN CONTROL** - Provide a letter of explanation of the change including proposed new ownership or the proposed change in control. A new application may be required for a 25% or more indirect change in ownership. If it has been determined a new application is required, the Department will invoice a change of control fee of $800 through NMLS and set license items for any additional items required relating to the change of control.

**Management Chart:** Please make any necessary amendments to the company management chart currently located in the Document Upload section of the Company Form (MU1).

**Note:** A company should only upload a single management chart.

**Company Organizational Chart:** Please make any necessary amendments to the company organization chart that is currently located in the Document Upload section of the Company Form (MU1).

**Note:** A company should only upload a single organizational chart.

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<td><strong>Addition or Modification of Qualifying Individual Amendment Items</strong></td>
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<td><strong>Addition or Modification of Qualifying Individual:</strong> Submit an amendment for an addition or change in Qualifying Individuals within the Company Form (MU1) in NMLS.</td>
<td>NMLS</td>
<td></td>
</tr>
<tr>
<td><strong>Change of Qualifying Individual:</strong> $0 per license</td>
<td>N/A</td>
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Updated: 8/1/2019
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<tr>
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<td>Change of Disclosure Question(s) Amendment Items</td>
<td>NMLS</td>
</tr>
<tr>
<td></td>
<td>Change of Disclosure Question(s): Submit an amendment for a change to Disclosure Question response(s) through the Company Form (MU1) in NMLS.</td>
<td>NMLS</td>
</tr>
<tr>
<td></td>
<td>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.</td>
<td>Upload in NMLS in the Disclosure Explanations section of the Company Form (MU1) or Individual Form (MU2).</td>
</tr>
<tr>
<td></td>
<td>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 may 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 may also upload a document (PDF) related to the explanation.</td>
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Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE.

Credit Report for Control Persons: $15 per control person. NMLS (Filing submission)

Credit Report: Individuals in a position of control are required to authorize a credit report through NMLS. 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.

FBI Criminal Background Check for MU2 Individual: $36.25 per person. NMLS (Filing submission)

MU2 Individual FBI Criminal Background Check Requirements: When added to the Company Form (MU1), Qualifying Individuals are required to authorize a FBI criminal background check (CBC) through NMLS.

See the Criminal Background Check section of the NMLS Resource Center for more information.

Note: Please authorize access for North Dakota to view the background check prior to submitting the request. 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. 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.
See the Company Disclosure Explanations Quick Guide for instructions.