This document includes instructions for a Debt Settlement Services Company (principal/headquarter location) License new application request.

(Note: If licensee is a domestic or foreign not-for-profit corporation or association registered under 15 Pa.C.S. Pt. II Subpt. C (relating to nonprofit corporations) with the Secretary of the Commonwealth which has annual gross revenues from debt settlement services fees and charges of less than $3,000,000 annually, please refer to the Debt Settlement Services (DN) Licensing information.)

Total License Costs: $2,500

A $15 fee for a credit report will be added if one has not been authorized through NMLS in the past 30 days for each required control person. Fees collected through the NMLS ARE NOT REFUNDABLE.

Note: Licensees are required to complete an Annual Report that covers Pennsylvania activities from January 1, of the current year, through December 31, and is due March 31 of the new licensing year. Please contact the Department of Banking and Securities, Non-Depository Compliance Office at (717) 772-3889 for any questions regarding the Annual Report.

Use the checklist below to complete the requirements for the Pennsylvania Department of Banking and Securities.

The checklist provides instructions and requirements for information to be entered in NMLS, the documents that must be uploaded into NMLS, as well as the documents that must be sent outside NMLS.

For help with the NMLS application, see the Company (MU1) Form Filing Quick Guide.

Agency specific requirements marked Filed in NMLS must be completed and/or uploaded in NMLS; this information will not be viewable to the agency until the application has been submitted through NMLS.

Agency specific requirements marked Attached on the checklist below must be received with this checklist within 5 business days of the electronic submission of your application through the NMLS at the following:

**For U.S. Postal Service:**

The Pennsylvania  
Department of Banking and Securities  
Non-Depository Licensing Office  
17 N 2nd Street Ste 1300  
Harrisburg, PA  17101-2290

**For Overnight Delivery:**

The Pennsylvania  
Department of Banking and Securities  
Non-Depository Licensing Office  
17 N 2nd Street Ste 1300  
Harrisburg, PA  17101-2290
NMLS Company Unique ID Number: _______________________________
Applicant Legal Name: ______________________________________

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|               | N/A      | N/A            | Formation Document: Upload a certified copy of:
|               |          |                | • Registration of the full legal name with the Pennsylvania Department of State, Corporations Bureau;  
|               |          |                | • The Corporate Charter or Articles of Incorporation (if a corporation), or  
|               |          |                | • The Articles of Organization and Operating Agreement (if a Limited Liability Company), or  
|               |          |                | • The Partnership Agreement (if a partnership of any form).  
|               |          |                | Upload this document in NMLS under the Document Type “Formation Document” in the Document Uploads section of the Company (MU1) Form.  
|               |          |                | See the Document Upload Quick Guide for formatting instructions, upload instructions and document descriptions and examples. |
|               | N/A      | N/A            | Bank Account: Bank account information must be completed with company’s Letter/Line of Credit, Operating, and/or Trust Primary accounts in the Bank Account section of the Company (MU1) Form.  
|               | N/A      |                | Other Trade Name: DBA’s should be listed under Other Trade Names on the NMLS Company Form.  
|               |          |                | Upload a certified copy of your proof of Registration of all trade names, with the Pennsylvania Department of State, Corporations Bureau. Questions: Contact the PA Department of State @ (888) 659-9962 or (717) 787-1057.  
|               |          |                | Upload this document in NMLS under the Document Type “Trade Name/Assumed Name Registration Certificates” in the Document Uploads section of the Company (MU1) Form.  
|               |          |                | See the Document Upload Quick Guide for formatting instructions, upload instructions and document descriptions and examples. |
|               |          | N/A            | Designated Pennsylvania Agent/Registered Agent: Submit a “Service of Process Consent” form directly to the Department designating an authorized Pennsylvania agent for service of process.  
<p>|               |          |                | Although the “Designated Pennsylvania Agent” is only required for out-of-state businesses, listing of the Registered Agent is a required field in NMLS. Therefore, in-state businesses (who are not required to have a designated agent) should list the Qualifying Individual at the Pennsylvania Principal Office location as the Registered Pennsylvania Agent. Click to download Service of Process Form |
|               | N/A      | N/A            | Qualifying Individual: The individual (office manager) identified by the company on the NMLS Company (MU1) Form as the “Qualified |</p>
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<td>Individual.”</td>
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<td>This individual must be listed as the “Qualifying Individual” on NMLS Company Form, and his/her business address must match the address listed as the “Main Address” on the Company Form.</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><strong>Disclosure Questions:</strong> Provide complete details of all events or proceedings for any “Yes” answer to any of the disclosure questions for the company or any control person (including the qualifying individual). Upload a copy of any applicable orders or supporting documents (such as respective criminal or civil court documents, administrative orders, and/or related public documents) in NMLS.</td>
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<td><strong>Financial Statements:</strong> Upload audited financial statement for the most recent fiscal year, including an audit opinion from an independent Certified Public Accountant. If the most recent financial statement is dated more than 120 days prior to the date of application, an interim statement—dated within 90 days of the application, must also be attached.</td>
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<td>- All financial statements must be prepared in accordance with Generally Accepted Accounting Principles and dated within 90 days of your fiscal year end.</td>
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<td>- Financial statements should include a Balance Sheet, Income Statement and Statement of Cash Flows and all relevant notes thereto.</td>
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<td>- If applicant is a start-up company, only an initial Statement of Condition is required.</td>
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<td>- If applicant is affiliated with another business entity, the applicant must provide the aforementioned statements reflecting the applicant’s financial conditional and operation on an unconsolidated basis. Additionally, the applicant must furnish the same statements on a consolidated and/or combined basis to reflect the economic reality of all affiliations.</td>
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<td><strong>NOTE:</strong> Financial statements are uploaded separately under the Filing tab and <em>Financial Statement</em> submenu link. See the <a href="#">Financial Statement Quick Guide</a> for instructions.</td>
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<td><strong>Business Plan:</strong> Upload a business plan outlining marketing strategy, products, target markets and operating structure the applicant intends to employ.</td>
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<td><strong>Business Plan:</strong> Upload this document in NMLS under the Document Type “Business Plan” in the <em>Document Uploads</em> section of the Company (MU1) Form. See the <a href="#">Document Upload Quick Guide</a> for formatting instructions, upload instructions and document descriptions and examples.</td>
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<td><strong>Certificate of Authority:</strong> Upload a state-issued document (typically by the state’s Secretary of State office) demonstrating that the corporation or limited liability company (LLC) exists or is authorized to do business in the state. Upload this document in NMLS under the Document Type “Certificate of Authority/Good Standing Certificate” in the <em>Document Uploads</em> section of the Company (MU1) Form. See the <a href="#">Document Upload Quick Guide</a> for formatting instructions, upload instructions and document descriptions and examples.</td>
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<td><strong>Debt Settlement Agreement:</strong> Upload a copy of the debt settlement agreement between the company and consumer. Upload this document in NMLS under the Document Type “Debt Management Agreement” in the <em>Document Uploads</em> section of the Company (MU1) Form. See the <a href="#">Document Upload Quick Guide</a> for formatting instructions, upload instructions and document descriptions and examples.</td>
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<td><strong>Fidelity Bond:</strong> Upload proof of Liability or Fidelity Insurance Policy that insures against dishonest, fraud, theft or other malfeasance on the part of the applicant’s employees, officer, directors or principals. The insurance policy needs to be an appropriate amount. An insurance policy of at least $250,000 is recommended. Upload this document in NMLS under the Document Type “Fidelity Bond” in the <em>Document Uploads</em> section of the Company (MU1) Form. See the <a href="#">Document Upload Quick Guide</a> for formatting instructions, upload instructions and document descriptions and examples.</td>
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### Penal Bond:
Upload and mail an original Penal bond.

In accordance with Section 305 of the Debt Settlement Services Act, the Department of Banking and Securities will not issue a license for a debt settlement service company unless the applicant has obtained and maintains a bond in an amount of $25,000. The bond must be furnished by a surety company legally authorized to transact business in Pennsylvania.

The bond shall be a penal bond conditioned on compliance with the Debt Settlement Services Act and subject to forfeiture by the Department and shall run to the Commonwealth for its use. The bond may also be used against the licensee for the benefit of any consumer who is injured by a violation of the Debt Settlement Services Act or regulation promulgated under the act. The name of the principal insured on the bond must match exactly the Full Legal Name of applicant.

[Click to download Penal Bond Form](https://epatch.state.pa.us)

Upload this document in NMLS under the Document Type “Surety Bond” in the *Document Uploads* section of the Company (MU1) Form.

See the [Document Upload Quick Guide](https://epatch.state.pa.us) for formatting instructions, upload instructions and document descriptions and examples.

### Management Chart:
Upload an organizational chart showing the applicant’s divisions, officers, and managers.

Upload this document in NMLS under the Document Type “Management Chart” in the *Document Uploads* section of the Company (MU1) Form.

See the [Document Upload Quick Guide](https://epatch.state.pa.us) for formatting instructions, upload instructions and document descriptions and examples.

### Organizational Chart/Description:
Upload an organizational chart if applicant is owned by another entity or entities or person, or has subsidiaries or affiliated entities.

Upload this document in NMLS under the Document Type “Organizational Chart/Description” in the *Document Uploads* section of the Company (MU1) Form.

See the [Document Upload Quick Guide](https://epatch.state.pa.us) for formatting instructions, upload instructions and document descriptions and examples.

### Pennsylvania Criminal Background History Check:
Each control person (including the qualifying individual) must complete a Pennsylvania State Police (PSP) criminal background check by using the Pennsylvania Access to Criminal History (PATCH) website: [https://epatch.state.pa.us](https://epatch.state.pa.us)

[Click to download PA State Police Criminal Background History form](https://epatch.state.pa.us)
Criminal Background Check: Each control person (including the qualifying individual) must complete a FBI Fingerprint check:

Available to Pennsylvania residents and those working in the Commonwealth of Pennsylvania:

- To Schedule your ten-minute fingerprint appointment, simply click on the link associated with your license type below:
  
  Debt Settlement Company

For all other applicants residing or working in states other than Pennsylvania a fingerprint card must be submitted by mail to IndentoGO

Non-Resident Cardscan
Universal Enrollment Platform Processing Overview

Cardscan processing is available for those applicants residing outside of Pennsylvania and/or Pennsylvania residents physically unable to visit an IndentoGO location. To complete the process, applicants must complete the following steps.

1. Obtain fingerprints on FBI (FD-258) fingerprint card and complete personal information fields on fingerprint card.
2. Click on the link associated with your license type above.
3. Click on the ‘Submit A Fingerprint Card by Mail’ link and complete the pre-enrollment information necessary to submit a fingerprint card enrollment by mail. All processing fees will be collected during the pre-enrollment process. A pre-enrollment confirmation page will be provided once registration is complete.
4. Print and sign the completed pre-enrollment confirmation page, which includes the barcode printed on the top right of the page. Mail the signed pre-enrollment confirmation page and the completed fingerprint card to IndentoGO using the mailing address provided during the pre-enrollment process.

DO NOT MAIL THE COMPLETED FBI CARD TO THE DEPARTMENT OF BANKING AND SECURITIES

Results of the background checks are not mailed to applicants. If there is a problem with the results of your background check you will be notified.

Applicant Notification and Record Challenge: Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in the FBI identification record. The procedure for obtaining a change, correction, or updating the FBI identification record are set for the in Title 28, CFR, 16.34.
### PENNSYLVANIA DEBT SETTLEMENT LICENSE

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#### Third Party Investigatory Background Checks:
Each control person (including the qualifying individual) who does not or has not resided in the US for at least 5 years must provide an investigative background report. The report must be prepared by an acceptable search firm and submitted directly to the Department in addition to other background information required in the application. At a minimum, the report must contain the following:

- A comprehensive credit report/history
- Civil court and bankruptcy court records for the past 5 years, including a search of the court data in the country(ies), states, towns where the individual resided and worked and in contiguous areas
- Criminal records for the past 5 years, including felonies, misdemeanors and violations including a search of court data in the countries, states, towns where the individual resided and worked and in contiguous areas.

#### Tax Certification:
Provide a certified memorandum for each control person (including the qualifying individual) indicating all tax obligations to the Commonwealth of Pennsylvania have been paid or that a deferred payment plan with the Pennsylvania Department of Revenue has been made.

Click to download tax waiver and certification form.

#### License / Registration:
Provide a list identifying all states in which the applicant holds, has held, or has applied for registration or license as a debt settlement services provider.

Pennsylvania will review the filing and all required documents and communicate with you through NMLS. To review your status or see detailed communication from the regulator, click on the Composite View tab and then click on View License/Registration in NMLS. See the License Status Review & Definitions quick guide for instructions.

**WHO TO CONTACT** – Contact the Pennsylvania Department of Banking and Securities, Non-Depository Licensing staff by phone at (717)787-3717 or send your questions via e-mail to ra-asklicensing@pa.gov for additional assistance.

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