



THE COMMONWEALTH OF MASSACHUSETTS
DIVISION OF BANKS
1000 Washington Street, 10th Floor, Boston, Massachusetts 02118

INSTRUCTIONS

THIS NEW APPLICATION FORM MUST BE TYPED.

Please submit this NEW APPLICATION by email to dob.ftannualreport@mass.gov. The Division of Banks (Division) will not accept this NEW APPLICATION by mail. For further assistance please contact the Licensing Unit at (617) 956-1500, ext. 61479.

This form is to be completed by the manager of the new Foreign Transmittal Agency Agent/Delegate location and it must accompany the new application for Foreign Transmittal Agency Agent/Delegate Location Form.

EXPLANATION OF TERMS

APPLICANT – The foreign transmittal agency applying for a new agent/delegate location license. The only instance in which the *applicant* is an individual is in the case of a sole proprietorship.

CHARGED – Being accused of a crime in a formal complaint, information, or indictment (or equivalent formal charge).

CONTROL – The power, directly or indirectly, to direct the management or policies of a company, whether through ownership of securities, by contract, or otherwise. Any *person* that (i) is a director, general partner or executive officer; (ii) 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 a class of voting securities; (iii) in the case of an LLC, Managing Member; or (iv) in the case of a partnership, has the right to receive upon dissolution, or has contributed, 10% or more of the capital, is presumed to control that company.

ENJOINED – Includes being subject to a mandatory injunction, prohibitory injunction, preliminary injunction, or a temporary restraining order.

FELONY – For jurisdictions that do not differentiate between a *felony* and a *misdemeanor*, a *felony* is an offense punishable by a sentence of at least one year imprisonment and/or a fine of at least \$1,000. The term also includes a general court martial.

Financial Services or Financial Services-Related – Pertaining to securities, commodities, banking, insurance, consumer lending, money services businesses, consumer debt management, debt collection or real estate (including, but not limited to; acting as or being associated with a bank or savings association, credit union, mortgage lender, mortgage broker, real estate salesperson or agent, closing agent, title company, or escrow agent).

FOREIGN FINANCIAL REGULATORY AUTHORITY – Includes (1) a *financial services* authority of a foreign country; (2) other governmental body empowered by a foreign government to administer or enforce its laws relating to the regulation of *financial services* or *financial services-related* activities; and (3) a foreign membership organization, a function of which is to regulate the participation of its members in *financial services* activities listed above.

FOUND (See questions 5(J) and 5(K) - Includes adverse final actions, including consent decrees in which the respondent has neither admitted nor denied the findings, but does not include agreements, deficiency letters, examination reports, memoranda of understanding, letters of caution, admonishments, or similar informal resolutions of matters.

INVOLVED – Doing an act or omission or aiding, abetting, counseling, commanding, inducing, conspiring with or failing reasonably to supervise another in doing an act or omission.

MISDEMEANOR – For *jurisdictions* that do not differentiate between a *felony* and a *misdemeanor*, a *misdemeanor* is an offense punishable by a sentence of less than one year imprisonment and/or a fine of less than \$1,000. The term also includes a special court martial.

ORDER – A written directive issued pursuant to statutory authority and procedures, including orders of denial, suspension, or revocation; does not include special stipulations, undertakings or agreements relating to payments, limitations on activity or other restrictions unless they are included in an *order*.

PROCEEDING – Includes a formal administrative or civil action initiated by a governmental agency, self-regulatory organization or a *foreign financial regulatory authority*; a *felony* criminal indictment or information (or equivalent formal charge); or a *misdemeanor* criminal information (or equivalent formal charge). The term does not include other civil litigation, investigations, or arrests or similar charges affected in the absence of a formal criminal indictment or information (or equivalent formal charge).

**NEW
APPLICATION**

**AGENT/DELEGATE LOCATION MANAGER
BIOGRAPHICAL STATEMENT & CONSENT**

Legal Name of Applicant (i.e. the licensed foreign transmittal agency):

NMLS Number of Applicant (i.e. the licensed foreign transmittal agency):

1. Identifying Information

A.

Last Name

First Name

Full Middle Name

Suffix (if any)

B.

Date of Birth (MM/DD/YYYY)

State/Province of Birth

Country/Province of Birth

C.

Business Phone (Including Extension)

Home Phone (Optional)

Cell Phone (Optional)

Fax Line (Optional)

Email Address

D.

Mailing Address

Same as Current Residential Address

Number and Street

City, State/Country, Zip+4/Postal Code

2. Residential History

Starting with current address, you must provide all of your residential addresses for the past ten years without gaps. (Attach additional sheets as necessary.)

From (MM/YYYY)	To (MM/YYYY)	Street Address	City	State	Country/ Province	Postal Code
	Current					

3. Employment History

Starting with current employment, provide a complete employment history for the past ten years without gaps. Account for all time including full & part-time employments, self-employment, military service, and homemaking. Also include periods such as unemployed, retirement, full-time student, extended travel, etc. Indicate by "YES" or "NO" whether the employment is/was financial service-related business. (Attach additional sheets as needed.)

From (MM/YYYY)	To (MM/YYYY)	Employer (company name)	Position Held (no abbreviations)	Address/City	State and Postal Code	Country/ Province	Financial Services- Related?
	Current						

4. Other Business

Are you currently engaged in any other business either as a proprietor, partner, officer, director, employee, trustee, agent or otherwise? (Please exclude non-financial services-related activity that is exclusively charitable, civic, religious, or fraternal and is recognized as tax exempt.) If YES, provide the following details (attach additional sheets as needed.):

YES	NO
<input type="checkbox"/>	<input type="checkbox"/>

Business Name

Does this business conduct financial services-related activities? Yes No

Number & Street	City	State	Country/Province	Postal Code
_____	_____	_____	_____	_____

Nature of business: _____

Position, Title or Relationship with business: _____

Start Date: _____ Hours per month: _____

Describe your duties: _____

5. Disclosure Questions

If the answer to any of the following is "YES", provide complete details of all events or proceedings. The agent/delegate location manager must notify the Applicant and the Applicant must file updates to these disclosures as needed.

Financial Disclosure		YES	NO
(A)			
(1) Have you filed a personal bankruptcy petition or been the subject of an involuntary bankruptcy petition within the past 10 years?		<input type="checkbox"/>	<input type="checkbox"/>
(2) Based upon events that occurred while you exercised control over an organization, has any organization filed a bankruptcy petition or been the subject of an involuntary bankruptcy petition within the past 10 years?		<input type="checkbox"/>	<input type="checkbox"/>
(3) Have you been the subject of a foreclosure action within the past 10 years?		<input type="checkbox"/>	<input type="checkbox"/>
(B) Has a bonding company ever denied, paid out on, or revoked a bond for you?		<input type="checkbox"/>	<input type="checkbox"/>
(C) Based upon activities that occurred while you exercised control over an organization, has any bonding company ever denied, paid out on, or revoked a bond for any organization?		<input type="checkbox"/>	<input type="checkbox"/>
(D) Do you have any unsatisfied judgments or liens against you?		<input type="checkbox"/>	<input type="checkbox"/>
(E) Are you delinquent on any court ordered child support payments?		<input type="checkbox"/>	<input type="checkbox"/>
Criminal Disclosure			
(F)			
(1) Have you ever been convicted of or pled guilty or nolo contendere ("no contest") in a domestic, foreign, or military court to any felony?		<input type="checkbox"/>	<input type="checkbox"/>
(2) Are there pending charges against you for any felony?		<input type="checkbox"/>	<input type="checkbox"/>
(G) Based upon activities that occurred while you exercised control over an organization:			
(1) Has any organization ever been convicted of or pled guilty or nolo contendere ("no contest") in a domestic, foreign, or military court to any felony?		<input type="checkbox"/>	<input type="checkbox"/>
(2) Are there pending charges against any organization for any felony?		<input type="checkbox"/>	<input type="checkbox"/>

<p>(H)</p> <p>(1) Have you ever been convicted of or pled guilty or nolo contendere ("no contest") in a domestic, foreign, or military court to committing or conspiring to commit a misdemeanor involving: (i) financial services or a financial services-related business, (ii) fraud, (iii) false statements or omissions, (iv) theft or wrongful taking of property, (v) bribery, (vi) perjury, (vii) forgery, (viii) counterfeiting, or (ix) extortion?</p> <p>(2) Are there pending charges against you for a misdemeanor specified in (H)(1)?</p>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
<p>(I) Based upon activities that occurred while you exercised control over an organization:</p> <p>(1) Has any organization ever been convicted of or pled guilty or nolo contendere ("no contest") in a domestic, foreign, or military court to any misdemeanor specified in (H)(1)?</p> <p>(2) Are there pending charges against any organization for any misdemeanor specified in (H)(1)?</p>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
Civil Judicial Disclosure		
<p>(J)</p> <p>(1) Has any domestic or foreign court ever:</p> <p>(a) enjoined you in connection with any financial services-related activity?</p> <p>(b) found that you were involved in a violation of any financial services-related statute(s) or regulation(s)?</p> <p>(c) dismissed, pursuant to a settlement agreement, a financial services-related civil action brought against you by a State, federal, or foreign financial regulatory authority?</p> <p>(2) Is there a pending financial services-related civil action in which you are named for any alleged violation described in (J)(1)?</p> <p>(3) Based upon activities that occurred while you exercised control over an organization, is there a pending financial services-related civil action in which any organization is named for any alleged violation described in (J)(1)?</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Regulatory Action Disclosure		
<p>(K) Has any State or federal regulatory agency or foreign financial regulatory authority or self-regulatory organization (SRO) ever:</p> <p>(1) found you to have made a false statement or omission or been dishonest, unfair or unethical?</p> <p>(2) found you to have been involved in a violation of a financial services-related business regulation(s) or statute(s)?</p> <p>(3) found you to have been a cause of a financial services-related business having its authorization to do business denied, suspended, revoked or restricted?</p> <p>(4) entered an order against you in connection with a financial services-related activity?</p> <p>(5) revoked your registration or license?</p> <p>(6) denied or suspended your registration or license or application for licensure, disciplined you, or otherwise by order, prevented you from associating with a financial services-related business or restricted your activities?</p> <p>(7) barred you from association with an entity regulated by such commissions, authority, agency, or officer, or from engaging in a financial services-related business?</p> <p>(8) issued a final order against you based on violations of any law or regulations that prohibit fraudulent, manipulative, or deceptive conduct?</p> <p>(9) entered an order concerning you in connection with any license or registration?</p> <p>(L) Have you ever had an authorization to act as an attorney, accountant, or State or federal contractor that was revoked or suspended?</p> <p>(M) Based upon activities that occurred while you exercised control over an organization, has any State or federal regulatory agency or foreign financial regulatory authority or self-regulatory organization (SRO) ever taken any of the actions listed in (K) through (L) above against any organization?</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<p>(N) Is there a pending regulatory action proceeding against you for any alleged violation described in (K) through (L)?</p>	<input type="checkbox"/>	<input type="checkbox"/>

(O) Based upon activities that occurred while you exercised control over an organization, is there a pending regulatory action proceeding against any organization for any alleged violation described in (K) through (L)?	<input type="checkbox"/>	<input type="checkbox"/>
Customer Arbitration/Civil Litigation Disclosure		
(P) Have you ever been named as a respondent/defendant in a financial services-related consumer-initiated arbitration or civil litigation which:		
(1) is still pending?	<input type="checkbox"/>	<input type="checkbox"/>
(2) resulted in an arbitration award or civil judgment against you, regardless of amount, or that required corrective action?	<input type="checkbox"/>	<input type="checkbox"/>
(3) was settled for any amount	<input type="checkbox"/>	<input type="checkbox"/>
Termination Disclosure		
(Q) Have you ever voluntarily resigned, been discharged, or permitted to resign after allegations were made that you were accused of:		
(1) violating statute(s), regulations(s), rule(s), or industry standards or conduct?	<input type="checkbox"/>	<input type="checkbox"/>
(2) fraud, dishonesty, theft, or the wrongful taking of property?	<input type="checkbox"/>	<input type="checkbox"/>

6. Individual's Acknowledgment & Consent

I swear or affirm that I have executed this form of my own free will and that I am attesting to this application and that I agree to and represent the following:

- (A) That I have read and understand the items and instructions on this form;
- (B) That the information and statements contained herein, including exhibits attached hereto, and other information filed herewith, all of which are made a part of this application, are current, true and complete and are made under the penalty of perjury, or un-sworn falsification to authorities, or similar provisions as provided by law;
- (C) That the Division of Banks may conduct any investigation into my background, in accordance with all laws and regulations; and
- (D) That I will keep the information contained in this form current and to file supplementary information on a timely basis.

Date (MM/DD/YYYY)

Signature of agent/delegate manager

Print individual's name

Individual's Acknowledgment & Consent must always be completed in full with signature.

7. Applicant's Representation

To the best of my knowledge and belief, the agent/delegate location manager identified herein is fully qualified for the position for which application is being made. I have taken appropriate steps to verify the accuracy and completeness of the information contained in and with this application.

Foreign Transmittal Company Name and NMLS #

By _____
Signature of authorized party

Print Name and Title of authorized party