



STATE OF NEW MEXICO  
REGULATION AND LICENSING DEPARTMENT  
FINANCIAL INSTITUTIONS DIVISION  
2550 Cerrillos Road, 3<sup>rd</sup> Floor, Santa Fe, NM 87505  
P.O. Box 25101, Santa Fe, NM 87505-5101  
Phone: (505)476-4559 Fax: (505)476-4670  
[www.rld.state.nm.us/financialinstitutions](http://www.rld.state.nm.us/financialinstitutions)  
Industry Manager: Christopher.Moya@state.nm.us

## APPLICATION FOR ORIGINAL REPOSSESSOR

### GENERAL INSTRUCTIONS

1. Use this form if you are applying for a reposessor license for the first time. **If you currently maintain a reposessor license, do not use this form.** Instead, complete the Renewal Application for Reposessor License, available on the financial institutions division website listed above.
2. The enclosed application must be completed in its entirety. Applications containing incomplete responses, or lacking application fees or exhibits will be returned to the applicant. Please complete the checklist on the last page of this packet to ensure that your application is complete.
3. If the space provided for answers is inadequate, additional pages should be attached, however, **attachments must identify the following information in the top right corner of every page: applicant name, and the specific item on the application to which the answer relates.**
4. **All exhibits must include the following information in the top corner of every page: applicant name, and exhibit number.**
5. The license fee is two hundred and fifty dollars (\$250.00). The only acceptable methods of payment are checks or money orders payable to the Financial Institutions Division.
6. All reposessor licenses will expire at the close of business on February 28th of each year, unless renewed for the upcoming year.
7. Upon the department's receipt of a complete application, an investigation will be made into the financial responsibility, character, and general fitness of the applicant.
8. The application, application fee, and all exhibits must be mailed to: The Financial Institutions Division at 2550 Cerrillos Rd., 3<sup>rd</sup> Floor, Santa Fe, NM 87505.



## I. GENERAL APPLICANT INFORMATION EXHIBITS

### EXHIBIT A: OFFICIAL DOCUMENTS:

- **CORPORATION:** Submit a copy of the Articles of Incorporation or Articles of Organization on file with the Corporations Commission in the Applicant's Incorporated State.
- **PARTNERSHIP:** Submit a copy of the Applicant's fully executed Partnership Agreement, the social security numbers for each partner, and the Certificate of Authority if applicant is a foreign partnership.
- **LIMITED LIABILITY COMPANY:** Submit a copy of the Articles of Organization on file with the Secretary of State in the state where the company was formed.
- **REGISTERED LIMITED LIABILITY PARTNERSHIP:** Submit a copy of the Certificate of Limited Partnership on file with the Secretary of State in the state where the company was formed, and the Certificate of Authority issued by the New Mexico Secretary of State, if applicant is a foreign LLP.
- **SOLE PROPRIETOR:** Submit Social Security Number for named proprietor.

## II. MANDATORY APPLICATION EXHIBITS

### EXHIBIT B: FINANCIAL STATEMENT

Attach a financial statement prepared within sixty (60) days of the state the application is submitted, that satisfies the criteria below:

- Contains **both** a balance sheet and income statement;
- Signed and dated** within the last 60 days by the preparer and signed by an office the company;
- Prepared in accordance with generally accepted accounting practices;
- Sworn to by the applicant if the applicant is an individual, or by a partner director, manager or trustee in its behalf if the applicant is a partnership, corporation or unincorporated association.

### EXHIBIT C: SURETY BOND

- Attach proof of a corporate surety bond reflecting a bond amount of at least five thousand dollars (\$5,000.00)

### III. CIVIL DISCLOSURE

**Within the past year**, has the Applicant, or any parent company, or any partner, officer, director, trustee, stockholder or employee:

1. Been the subject of proceedings in bankruptcy, foreclosure, receivership, assignment for the benefit of creditors, or for debt and money due? Yes  No
2. Been the subject of **consumer initiated litigation** or arbitration filed in New Mexico or in a 10<sup>th</sup> Circuit federal court in connection with a financial services-related business, **collection agency regulatory act violation, unfair trade practices violation or a fair debt collection practices act violation**? Yes  No
3. Been the subject of any **class action litigation**, filed in any jurisdiction that, according to generally accepted accounting principles is deemed significant to financial health and would be required to be referenced in an annual audited financial statement, report to shareholders, or similar documents? Yes  No

### CIVIL DISCLOSURE EXHIBITS

#### **EXHIBIT D: CIVIL LITIGATION**

If you answered **YES** to any of the above, please attach the following information:

- A copy of the original filed complaint
- If the case is pending, a brief statement regarding the current status;
- A copy of any publicly available court paperwork evidencing a final disposition of the case;

### VI. REGULATORY DISCLOSURE

Has the applicant, or any parent company, or any partner, member, officer, director or trustee ever:

1. Applied for any other type of business license with this Division? Yes  No
2. Been refused any type of business license by a state or federal financial institutions regulating agency? Yes  No
3. Been the subject of enforcement actions such as cease and desist orders, consent orders, injunctions, and license suspensions Yes  No

**REGULATORY DISCLOSURE EXHIBITS**

**EXHIBIT E: BUSINESS LICENSING INFORMATION**

- If you answered YES to question 1, please attach complete details of all applications submitted to this Division, including the following information:
  - The name of the business listed on the application;
  - The type of business license applied for;
  - A statement indicating whether the license was granted or denied;
  - If the license was granted, the license number;

**EXHIBIT F: REGULATORY ENFORCEMENT ACTION HISTORY**

- If you answered YES to question 2 or 3, please attach complete details of all events or proceedings, including the following information:
  - The name of the regulating agency that executed the enforcement action;
  - The contact information for the regulating agency that executed the enforcement action;
  - A copy of the enforcement action filed by the regulating agency;
  - Any other relevant information.

**VII. CRIMINAL DISCLOSURE**

**Within the past year**, has the Applicant, or any parent company, or any partner, officer, director, trustee, stockholder or employee:

1. Been convicted of a felony or any crime involving moral turpitude?      Yes  No

**CRIMINAL DISCLOSURE EXHIBITS**

**EXHIBIT G: CRIMINAL HISTORY**

- If you answered YES to question 1 please attach complete details of all events or proceedings, including the following information:
  - A copy of the Court document evidencing final disposition of the case (Ex: Plea and Disposition Agreement)
  - The Defendant's name
  - The City, County and State in which the defendant was charged
  - Court case numbers
  - Defendant's employment title or positions within collection agency (ex: Director, Manager, etc.)



## APPLICATION CHECKLIST

Before submitting your application to the Financial Institutions Division, please ensure that the following items are included in your submission packet:

- All attachments include applicant name, and question number in the top right corner of each page.
- All exhibits include the applicant name, and the exhibit letter in the top right corner of each page.

### **MANDATORY APPLICATION ITEMS:**

- ATTACHED **EXHIBIT A**: OFFICIAL DOCUMENTS
- ATTACHED **EXHIBIT B**: FINANCIAL STATEMENT

### **FINANCIAL STATEMENT REQUIREMENTS**

- Contains **both** a balance sheet and income statement;
  - Signed and dated within the last 60 days by the preparer and signed by an officer the company;
  - Prepared in accordance with generally accepted accounting practices;
  - Sworn to by the applicant if the applicant is an individual, or by a partner director, manager or trustee in its behalf if the applicant is a partnership, corporation or unincorporated association.
- ATTACHED **EXHIBIT C**: SURETY BOND
  - ENCLOSED CHECK OR MONEY ORDER PAYABLE TO FINANCIAL INSTITUTIONS DIVISION FOR **APPLICATION FEE**
  - ENCLOSED APPLICANT'S NOTARIZED OATH AND STATEMENT

### **MANDATORY EXHIBITS IF APPLICABLE:**

- EXHIBIT **D**: CIVIL LITIGATION
- EXHIBIT **E**: BUSINESS LICENSING INFORMATION
- EXHIBIT **F**: REGULATORY ENFORCEMENT ACTION HISTORY
- EXHIBIT **G**: CRIMINAL HISTORY