



CHECKLIST FOR MOTOR VEHICLE SALES FINANCE APPLICATIONS

The following items **MUST** be submitted or on file in order for the application to be accepted by the OCCC. *If any of the applicable items listed below are missing, the application will be returned.* Additional information may be required in order for the application to be approved.

ALL APPLICANTS

- | | |
|--|---|
| <input type="checkbox"/> Completed Application | <input type="checkbox"/> Statement of Experience |
| <input type="checkbox"/> Application Questionnaire | <input type="checkbox"/> Business Operations Plan |
| <input type="checkbox"/> Disclosure of Owners and Principal Parties | <input type="checkbox"/> List of Registered Office(s) |
| <input type="checkbox"/> Statutory Agent Disclosure | Each Principal Party must file: |
| <input type="checkbox"/> Fees – Refer to Fee Structure Worksheet | <input type="checkbox"/> Personal Affidavit |
| <input type="checkbox"/> Copy of Assumed Name Certificate
as filed with applicable county or state office | <input type="checkbox"/> Employment History |
| <input type="checkbox"/> Retail installment contracts | <input type="checkbox"/> Personal Questionnaire |
| <input type="checkbox"/> Statement of Previous Installment Transactions | <input type="checkbox"/> Fingerprints electronically. Authorization to have
fingerprints taken will be sent to the applicant after the
application is received. |

CORPORATIONS

- | | |
|--|---|
| <input type="checkbox"/> Bylaws (submit portions relating to officers and directors) | <input type="checkbox"/> Minutes electing, or certification from the secretary of the corporation identifying, the statutory agent and all current officers and directors as listed on the license application. |
| <input type="checkbox"/> Publicly Held Corporations: the most recent Quarterly or Annual Reports | |

LIMITED LIABILITY COMPANIES

- | | |
|---|--|
| <input type="checkbox"/> Operating Agreement (submit portions relating to company management and business operations) | <input type="checkbox"/> Minutes of meetings electing, or a certification identifying, the statutory agent and all current officers, directors, and managers as listed on the license application. |
|---|--|

PARTNERSHIPS

- Partnership Agreement (submit portions relating to company management and business operations)

TRUSTS

- Submit portions of trust agreement relating to management of trust and operation of the business.

ESTATES

- Submit portions of the instrument establishing the estate that relate to management of the estate and operation of the business.

FOREIGN ENTITY

- Statement of Recordkeeping

If you are purchasing another dealership and wish to operate under their existing motor vehicle sales finance license, you must submit a request for permission to continue operations while the transfer application is being processed. For more information, see administrative rule 7 TAC §84.104(d)(e).



Application Fee Worksheet for Motor Vehicle Sales Finance License



Payment must be in the form of a check or money order. Cash payments will not be accepted. Make check or money order payable to Office of Consumer Credit Commissioner.

New Licenses:

Investigation Fee.....	\$ 200	X	1	=	\$ 200
Licensed Location Assessment Fee.....	\$ 460	X	1	=	\$ 460
Registered Office Fee..... (per registered office, see explanation below)	\$ 25	X	_____	=	\$ _____
Registered Office Assessment Fee..... (per registered office, see explanation below)	\$ 430	X	_____	=	\$ _____
Total Amount Due					_____

License Transfers:

Investigation Fee.....	\$ 200	X	1	=	\$ 200
Registered Office Fee..... (per registered office, see explanation below)	\$ 25	X	_____	=	\$ _____
Total Amount Due					_____

Fingerprint Process: Fingerprints will be required for all principals on the application. After the application is received, an authorization for electronic fingerprint processing will be sent to the applicant.

Do I have a Registered Office?

Do you have more than one location that originates, services, or collects on retail installment contracts?

If you do, your main location will be issued the primary motor vehicle sales finance license as the designated Licensed Location. All other locations—if they are originating, servicing, or collecting retail installment contracts—will be considered Registered Offices and will receive individual Registered Office licenses.

OR

Do you use more than one assumed name at a single location?

If more than one assumed name is used at a single location, a separate Registered Office license will be issued for additional assumed names. Only one assumed name can be printed on a license.

IF YOU ANSWERED “NO” TO BOTH OF THE QUESTIONS ABOVE, DO NOT PAY THE \$25 REGISTERED OFFICE FEE OR THE \$430 REGISTERED OFFICE ASSESSMENT FEE.



APPLICATION

FOR

MOTOR VEHICLE SALES FINANCE LICENSE

All questions must be answered. Write N/A if not applicable.

This application is for: **All Motor Vehicles** Ch 348 **Commercial Vehicles** only Ch 353
 New License
 Transfer (change in ownership or form of business) of **License Number**

This application is for: Active License Inactive License

Applicant is: Proprietor General Partnership Limited Liability Company
 Corporation Limited Partnership Other _____

Name of Applicant _____

Operating Name (DBA) _____

Texas Department of Transportation Motor Vehicle Dealer License Number (GDN) _____

Federal Employment Identification Number (FEIN) _____ Phone Number (_____)

Address of Licensed Location (*No P.O. Boxes*) _____

City _____ State _____ Zip Code _____ - _____ County _____

Mailing Address (*If different from above*) _____

Individual Primarily Responsible for Daily Financing Operations at this Location _____

Person to contact about this application _____	
Title _____	Phone Number (_____)
Fax Number (_____)	Email Address _____

The undersigned affirms that all answers made in the Application for License, Disclosure of Owners and Principal Parties, Application Questionnaire and in all supporting schedules and exhibits are true, correct, and complete and are made for the purpose of securing the license(s) indicated here. The applicant is of good moral character, good business repute, and possesses the character and general fitness necessary to warrant belief that the applicant will operate the business lawfully and fairly within the provisions of the Texas Finance Code. **FALSE OR MATERIALLY INCOMPLETE ANSWERS ARE GROUNDS FOR DENIAL.**

_____ Signature	_____ Title	_____ Date	_____ Signature	_____ Title	_____ Date
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_____ Signature	_____ Title	_____ Date	_____ Signature	_____ Title	_____ Date
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DISCLOSURE OF OWNERS AND PRINCIPAL PARTIES

OWNER(S) Proprietors, Partners, Members or Shareholders

(List complete ownership percentages. Proprietors, include spouses with community property interest. Provide the names of all general partners regardless of the percentage of ownership. As applicable to the type of license being applied for, all stockholders, members, and limited partners must be listed as required by 7 TAC §83.302 (Regulated Lender), §84.602 (Motor Vehicle), §85.202 (Pawnshop), and §89.302 (Property Tax). If an owner is a legal entity and not a natural person, a narrative or diagram must be included that describes each level of ownership.)

_____	%	_____	%
_____	%	_____	%
_____	%	_____	%
_____	%	_____	%
_____	%	_____	%

OFFICERS (List must be in compliance with organizational documents)

President _____	Vice President _____
Secretary _____	Treasurer _____
Other (Specify) _____	_____

DIRECTORS (List must be in compliance with organizational documents)

_____	_____
_____	_____
_____	_____

OTHER PRINCIPAL PARTIES (Trustee, Administrator or Corporate Designees)

_____	_____
_____	_____

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APPLICATION QUESTIONNAIRE

1. Has applicant or any affiliate operated a credit business in Texas or any other state? *(If yes, attach a description.)* Yes No

2. Does applicant currently:
 - A. Operate as a creditor in the state of Texas? *(If yes, attach a description of transactions.)* Yes No
 - B. Operate credit granting business in states other than Texas? *(If yes, attach a list of all states in which applicant currently operates and any licenses applicant may hold in these states.)* Yes No
 - C. Have other locations that will not be licensed? *(If yes, attach a list of these locations.)* Yes No

3. Does applicant currently hold or has applicant ever held a license or permit issued by any agency from the State of Texas? *(If yes, provide identification numbers, status, type, and the name of the issuing agency.)* Yes No

4. Has applicant or any affiliate ever been:
 - A. Denied a license or permit, or had a license or permit revoked? *(If yes, provide a description and attach relevant documents.)* Yes No
 - B. Subject to an administrative action by a regulatory agency? *(If yes, provide a description and attach relevant documents.)* Yes No
 - C. Held liable for fraud or knowing misrepresentation? *(If yes, provide a description and attach relevant documents.)* Yes No
 - D. Found guilty of any crime? *(If yes, provide a description and attach relevant documents.)* Yes No
 - E. Subject of bankruptcy or receivership? *(If yes, provide a description and attach relevant documents.)* Yes No

5. How does applicant intend to fund credit operations? _____

Following to be answered by pawnshop license applicants only:

6. If applicant intends to deal in firearms, has applicant applied for or obtained a Federal Firearms License? Yes No
7. Within what municipal jurisdiction is the shop to be located? _____
8. If application is for a new pawnshop license, provide the straight line distance from the proposed location to the nearest operating pawnshop. *(Be Exact)* _____

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**LIST OF REGISTERED OFFICE(S) FOR A
MOTOR VEHICLE SALES FINANCE LICENSE**

This form is only to be filed with your initial application for a motor vehicle sales finance license. If you already have a license, use ADM 71 (New Registered Office Notification) to add a Registered Office.

Definition of Registered Offices – Each location *other than the licensed location* where a licensee will originate, service or collect on retail installment contract subject to Texas Finance Code, Chapter 348. The term also includes any additional assumed name that the licensee uses at the single location to engage in a Chapter 348 transaction.

Number of registered offices in addition to main or central office(s) _____.

Licensee: _____

DBA (Operating name) _____

Physical address (No P.O. Boxes) _____

Mailing address (if different from above) _____
City State Zip

City State Zip

Phone Number _____ Fax Number _____

Individual responsible for financing operations at this location _____

DBA (Operating name) _____

Physical address (No P.O. Boxes) _____

Mailing address (if different from above) _____
City State Zip

City State Zip

Phone Number _____ Fax Number _____

Individual responsible for financing operations at this location _____

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**APPOINTMENT OF STATUTORY AGENT
AND CONSENT TO SERVICE**

Name of Applicant

Operating Name (DBA)

the undersigned, being an applicant for or a holder of a:

- Regulated Loan License under the provisions of TEX. FIN. CODE § 342.001 *et seq.*
- Pawnshop License under the provisions of TEX. FIN. CODE § 371.001 *et seq.*
- Property Tax Loan License under the provisions of TEX. FIN. CODE § 351.001 *et seq.*
- Motor Vehicle Sales Finance License under the provisions of TEX. FIN. CODE § 348.001 *et seq.*

does hereby appoint the following agent upon whom may be served all judicial and other process or legal notice directed to this applicant.

Name of Agent

who is a resident of the State of Texas and the County of _____

at _____
Agent Address *City* *Zip*

Agent Phone: (_____) _____ *Fax:* (_____) _____

In the case of death, removal from the State, or legal disability or disqualifications of the agent, service of all judicial and other processes of legal notice may be made upon the Consumer Credit Commissioner, State of Texas.

Signature of Owner, Officer, or Director

Printed Name

Title

Date

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PERSONAL QUESTIONNAIRE

NAME _____
First Middle Last

FALSE OR MATERIALLY INCOMPLETE ANSWERS ARE GROUNDS FOR DENIAL.

1. Are you familiar with the statutes and regulations applicable to the business to be licensed? _____
(If you answer 'no' to this question, provide a statement explaining why you gave this answer and how you intend to comply with the applicable laws.)

IF ANY QUESTION BELOW HAS BEEN ANSWERED "YES," ATTACH A FULL STATEMENT OF THE FACTS REQUIRING THE "YES" ANSWER.

2. The next three (3) questions ask about both misdemeanors and felonies. You can leave out minor traffic tickets but must tell us about major traffic arrests such as driving under the influence of alcohol or drugs. You must provide a **full statement of facts**, even if a lawyer, judge, or other person told you that there would be no record of your arrest, unless you have a legal document on which a judge ordered information about you be taken out of police files and court files (expungement). (ATTACH COPIES OF RECORDS SHOWING DISPOSITION OF ANY ARRESTS.)

- A. Have you ever been arrested? _____
- B. Have you ever been charged, indicted, OR convicted regarding a violation of any law? _____
- C. Do you have any outstanding warrants for your arrest? _____

3. Have you ever had any affiliation with any pawnshop, loan, or finance business other than listed on your Personal Affidavit or Employment History? _____

4. Have you ever had any affiliation with:
- A. A business that was refused a license, withdrew application to avoid refusal, or had its license or permit suspended, cancelled, or revoked? _____ (Attach copies of final actions.)
 - B. Any organization that was the subject of bankruptcy, insolvency or receivership? _____ (Attach copies of final actions.)

5. Have you:
- A. Held any professional or occupational licenses within the last ten (10) years? _____
(Excluding licenses issued by the Department of Motor Vehicles: GDN or Franchise)
 - B. Ever had any type of professional or occupational license denied, suspended, cancelled, or revoked? _____

6. Have you ever been a defendant in a civil court action or administrative proceeding other than divorce or personal injury? _____

7. Have you ever made a compromise with creditors, taken bankruptcy, or pleaded the Statute of Limitations? _____

8. Are there any unpaid judgments outstanding against you? _____

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EMPLOYMENT HISTORY

Provide a continuous record of business association for the last ten (10) years, ending with the most recent.

Note: Account for time spent as student, unemployed, retired, etc. A resume may be submitted in lieu of this form.

Name _____

First

Middle

Last

DATES EMPLOYED			COMPANY NAME AND ADDRESS	POSITION AND DUTIES
	MONTH	YEAR		
FROM				
TO				
FROM				
TO				
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STATEMENT REGARDING PREVIOUS INSTALLMENT TRANSACTIONS

If you are purchasing another dealership and have permission to operate under their existing license, as described in administrative rule 7 TAC §84.604(e), this statement is not required.

All questions must be answered

1. Has the applicant made any retail installment contracts from September 1, 2002 to date? _____
2. Has the applicant sold vehicles for multiple payments from September 1, 2002 to date? _____
3. Has the applicant assigned or sold any retail installment contracts from September 1, 2002 to date? _____
4. Has the applicant collected on any retail installment contracts or collected the price of a vehicle in multiple payments from September 1, 2002 to date? _____
5. Has the applicant placed any liens on titles from September 1, 2002 to date? _____

If you answered "yes" to any of the questions above, provide the following:

- A. Submit a list of all contracts made, a list of all vehicles sold for multiple payments, and a list of all accounts collected during this time. Each list should include the name of the buyer, contract date, vehicle cash price, amount of down payment, net trade in amount, total amount financed, payment frequency (monthly, semi-monthly, bi-weekly, weekly), total number of payments, and payment amount(s).
- B. From the list you provide, submit copies of ten (10) complete files. The complete file includes, but is not limited to, the buyers order, signed retail installment contract, payment history, certificate of title, and other documents related to that transaction. If there are fewer than ten (10) accounts, provide a complete copy of each file.
- C. The date when first contract was assigned, purchased, serviced, or entered into: _____

The undersigned affirms that all answers made in the Statement Regarding Previous Installment Transactions and in all supporting schedules and exhibits are true, correct, and complete. The Office of Consumer Credit Commissioner may conduct an on-site examination to review the information provided. **FALSE OR MATERIALLY INCOMPLETE ANSWERS ARE GROUNDS FOR DENIAL.**

Signature

Title

Date

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