

***Application for
Release from Prohibition or
Removal Order***



Texas Department of Banking

NOTICE TO APPLICANTS

Pursuant to Texas Finance Code § 35.0071, after at least ten years have passed since a final removal or prohibition order issued under Chapter 35 of the Finance Code the order was issued, a person who is subject to the order may apply to the Banking Commissioner for release from the order. To apply for release, you must file the attached Application with the Texas Department of Banking. The Application consists of the forms that follow this Notice.

The non-refundable filing fee of \$500 must accompany your application. Your check should be made payable to the Texas Department of Banking.

If you do not submit the filing fee at the same time you submit your application, your application will be returned. Additionally your application will be returned to you if the application does not include or is not accompanied by:

1. Your signature, sworn to before a notary;
2. A search firm background investigation report, as explained below in this Notice;
3. Fingerprint card; and
4. An “Authority to Release Information” form.

The Application must be fully completed and all of the required information must be provided. You must respond to each question, even if the answer is “None” or Not Applicable”. Be sure to:

1. Provide complete addresses, including zip codes.
2. Sign each form where required.
3. Have signatures notarized as required.
4. Cross-check the information BEFORE you submit the Application to insure accuracy and consistency in the information provided.

BACKGROUND CHECK: An extensive background check will be conducted on you. This check includes law enforcement agencies, credit reports, and other regulators.

If you have not been a resident of the United States for at least the past 7 years, additional information will be required. At a minimum, you must obtain a search firm background investigation report from an acceptable independent investigatory agency. You bear the cost of the investigation. **The investigation report must be submitted directly to the Department with a copy of the report provided at the time of submission of the application.** Refer to Search Firm Report instructions below. Contact the Corporate Activities Division for additional information.

CONFIDENTIALITY: Information submitted in connection with the application may be subject to disclosure under the Open Records Act. Confidential information should be clearly marked when submitted. However, simply marking information as confidential will not keep it from public disclosure if it is not confidential pursuant to the Texas Public Information Act.

If you have any questions please contact the Corporate Activities Division at (512) 475-1342. Completed application forms should be mailed to:

**Texas Department of Banking
Corporate Activities Division
2601 North Lamar Blvd.
Austin, TX 78705-4294**

FINGERPRINT INSTRUCTIONS

Instructions for submitting fingerprints can be found on the Department's website – www.dob.texas.gov/forms/i03-fingerprt.htm.

SEARCH FIRM REPORT INSTRUCTIONS

If you do not or have not resided in the US for at least 7 years, an investigative background report must be prepared by an acceptable search firm. At a minimum, the firm must demonstrate that they have sufficient resources and are properly licensed to conduct the search of the background and that the firm is not affiliated with or an interest of any of the individuals under investigation. The background investigation report must be in English. The cost of the report must be borne by you. **The investigation report must be submitted directly to the Department with a copy of the report provided at the time of submission of the application.**

At a minimum, the report must contain the following:

1. A comprehensive credit report/history including the actual credit report as well as a summary.
2. Civil court and bankruptcy court records for the past 7 years, including a search of court data in the country (ies), states, towns, where the individual resided and worked and in contiguous areas.
3. Criminal records including felonies, misdemeanors and violations including a search of court data in the country (ies), states, towns, where the individual resided and worked and in contiguous areas.
4. Employment history.
5. Media history including an electronic search of national and local publications, wire services and business publications.
6. Regulatory history, particularly securities, insurance, mortgage-related, real estate, etc., if applicable.
7. Judgments and liens filed against the individual in the last 7 years (primary search would be in the areas listed above in 2 and 3).

8. Licenses granted by any governmental agency or judicial body; indicate if they are current and in good standing.

The report must be accompanied by a summary letter which identifies the scope of the search, indicates the independence of the search firm from you, and identifies a person and provides contact information if questions should arise.

If you have had such a report, which meets the specifications listed above, prepared for another licensing agency within the past 12 months, you may have the investigating agency submit a copy of that report to us. In addition to the documentation generally required, you would need to submit a statement of no material change.

AUTHORITY TO RELEASE INFORMATION

Please print or type all information.

Full Name:						
Alias or DBA:						
Residence: _____ <div style="display: flex; justify-content: space-between; width: 100%;"> Street Address City State Zip Code </div>						
Business: _____ <div style="display: flex; justify-content: space-between; width: 100%;"> Street Address City State Zip Code </div>						
Telephone Number (Include Area Code)			Fax Number (Including Area Code)			
Social Security Number or Federal Tax ID Number			Drivers License Number/State			
Date of Birth			Citizenship			
* DPS Number			* FBI Number			
<i>* If DPS and/or FBI numbers are not known, please give the following physical description.</i>						
Race	Sex	Age	Height	Weight	Hair Color	Eye Color
<p>This release constitutes my consent and authority for The Texas Department of Banking to examine and obtain copies of records, statements, credit ratings and information regarding my background. I hereby specifically authorize the release of records to The Texas Department of Banking pertaining to the following:</p> <p style="text-align: center;">Any local, state, federal, or international governmental records Employment Information Past experience with a regulated entity Credit Information Tax Records, Federal or other jurisdictions Police and Criminal Records</p>						

This authorization is given in connection with my application filed with the Texas Department of Banking.

(Signature)

(Date)



APPLICATION FOR RELEASE FROM PROHIBITION OR REMOVAL ORDER

A. BIOGRAPHICAL INFORMATION

1. Applicant's Full Name	2. Address (Street, City, State and Zip Code)
3. Date of Birth	
4. Social Security Number	
5. Phone Number	
6. Fax Number	7. Email address

8. Place of birth: _____(city) _____(state) _____(country)

9. Citizenship: _____(country) _____(Date, if naturalized)

10. If not a United States citizen, provide:

Passport Number: _____

Home Country Identification Number: _____

Immigration File Number: _____

Father's full name _____

Mother's full name, including Maiden name _____

11. List other names you used and the period of time you used them (for example, your maiden name, name by a former marriage, former name, alias, or nickname). If the other name is your maiden name, put "nee" in front of it.



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12. List all addresses since date of prohibition/removal order.

Street Address, Apt. #	City	State	Zip Code

B. Employment Record

1. List employment in reverse chronological order going back to the date of the prohibition/removal order. The list should include the beginning and ending dates of employment, the employer’s name and location (city and state), nature of business, title or position, nature of duties, and reason for leaving. Explain any gaps in employment. (If additional room is needed, please use reverse side of this page.)

Employer’s name/ Location	Start Date	End Date	Title	Nature of Business	Nature of Duties	Reason for leaving



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2. Have you ever been dismissed or asked to resign from any past employment including a less than honorable discharge from military service? ___Yes ___No

If “yes,” provide the employer’s name, address, and telephone number; title or position; date of discharge; and explanation.

Employer’s Name: Address: Telephone Number: Title or Position: Date of Discharge:	Explanation:
Employer’s Name: Address: Telephone Number: Title or Position: Date of Discharge:	Explanation:
Employer’s Name: Address: Telephone Number: Title or Position: Date of Discharge:	Explanation:

C. Education and Professional Credentials

1. List each diploma or degree from high schools, colleges, universities, or other schools you have earned since the date of the prohibition order.

School Name/Location	From	To	Degree



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2. List each professional license or similar certificate you now hold or have held (for example, Attorney, Physician, CPA, NASD or SEC registration).

License Issuing	Authority Date	Issued Status	Expiration

D. Business and Banking Affiliations

1. List the name of any financial institution or financial institution holding company with which you are or were associated. Also list the location, nature of financial activity, position held or relationship, ownership percentage, and beginning and ending dates of the relationship.

Name/Location	Start Date	End Date	Nature of Financial Activity	Position	Ownership Percentage

2. List any other company with which you are associated, providing the company name, location, nature or type of business, position held or relationship to the company, ownership percentage, and beginning date of the relationship.

Name/Location	Start Date	Nature of Business	Position	Ownership Percentage



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3. Are you in the process of being considered for a senior executive officer or director position at a financial institution, financial institution holding company or other entity chartered, registered, permitted, or licensed by the banking commissioner? ____ Yes ____ No

If "yes," provide the name of financial institution or financial institution holding company and the position. If the application has been submitted for regulatory review, provide the name of the regulatory agency.

Institution Name: _____
 Position: _____ Regulatory Agency: _____

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 Position: _____ Regulatory Agency: _____

E. Legal and Related Matters

1. Have you been involved in any of the following filings where the filing was denied, disapproved, withdrawn, or otherwise returned without favorable action by a federal or state regulatory authority or a self-regulatory organization:

a. A charter or license application, a financial institution holding company application, or a federal deposit insurance application, in which you were listed as an organizer, director, senior executive officer, or a person that would own or control (either individually or as a member of a group) 10 percent or more of any class of voting securities or other voting equity interest of the institution, or similar position? ____ Yes ____ No

b. A merger application in which you were listed as a director, senior executive officer, or similar position? ____ Yes ____ No

c. A notice of change in director or senior executive officer, or similar form, in which you were listed as a director, senior executive officer, or similar position? ____ Yes ____ No

d. A notice of change in control for a financial institution or other company, or a similar form, in which you were listed (either individually or as a member of a group) as an acquirer or transferee? ____ Yes ____ No

e. Any other application, notice, or other regulatory or administrative request which was filed with a federal or state regulatory authority or a self-regulatory organization in which you were listed in some capacity? ____ Yes ____ No



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2. Other than the prohibition or removal order from which you seek release, have you or any financial institution or financial institution holding company with which you are or were associated been subject to any supervisory agreement, enforcement action, civil money penalty, prohibition or removal order, or other supervisory or administrative action taken or imposed by any federal or state regulatory authority or other governmental entity? Yes No
3. Have you or any company with which you are or were associated:
- a. Filed a petition under any chapter of the Bankruptcy Code or had an involuntary bankruptcy petition filed against you or the company? Yes No
 - b. Defaulted on a loan or financial obligation of any sort, whether as obligor, cosigner, or guarantor? Yes No
 - c. Forfeited property in full or partial satisfaction of any financial obligation? Yes No
 - d. Had a lien placed against property for failure to pay taxes or other debts? Yes No
 - e. Had wages or income garnished for any reason? Yes No
 - f. Failed or refused to pay any outstanding judgments? Yes No
4. Since the date the prohibition or removal order was issued, have you or any company or financial institution with which you are or were associated been named in any lawsuit, formal or informal investigation, examination, or administrative proceeding that may result in, or resulted in, any penalty (including, but not limited to, any sanction, fine, order to pay damages, loss of right or benefit, forfeiture, of property interest, or revocation of license), agreement, undertaking, consent, judgment, or order imposed by or entered into with any of the following entities:
- 5.
- a. Any federal or state court? Yes No
 - b. Any department, agency, or commission of the United States government? Yes No
 - c. Any state, municipal, or foreign governmental entity? Yes No
 - d. Any self-regulatory organization (for example, NASD, FASB, state bar)? Yes No
6. Have you or any company or financial institution with which you are or were associated been arrested for, charged with, indicted for, or convicted of (including a conviction where the record



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was expunged), or ever pleaded *nolo contendere* to, any criminal matter (other than minor traffic violations)? _____Yes _____No

7. If you answer “yes” to any question in 1 through 6, provide your explanation by identifying the number of the question, describing the situation in detail, and, where relevant, including the:

- Name and location of any institution, company, party, court, regulatory agency, or self-regulatory organization involved.
- Nature of your association with any institution or company (for example, officer, director, organizer, principal shareholder, or owner).
- Type of any application, notice, or other regulatory or administrative request.
- Nature of any supervisory, enforcement, or administrative action.
- Direct and indirect debt terms, defaulted amount, and creditor regarding any financial obligation.
- Date of any relevant event.
- Nature of any lawsuit, charge, or proceeding.
- Jurisdiction in which any legal proceeding occurred.
- Resolution or disposition of the matter.

F. Prohibition/Removal Order

1. Date of the prohibition/removal from which you seek release: _____. Attach a copy of the order.
2. Reason you seek release from the prohibition/removal order. (Use extra sheet if necessary.)



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CERTIFICATION

A person commits a felony offense if the person intentionally makes an untrue statement of material fact in this application.

I hereby certify that:

I am authorized to file this application, and that all information submitted to the Commissioner in connection with this application including the forms, schedules, exhibits, attachments and any related correspondence is true, and correct, to the best of my knowledge and belief.

_____ by _____
(Applicant) (Signature)

(Printed or Typed Name)

STATE OF _____
COUNTY OF _____

On this _____ day of _____, 20____, before me, a Notary Public in and for said County, of said State, personally appeared: _____
known to me to be the person named in, and who executed the foregoing form and made oath that the statements and representations set forth therein are true to the best of his/her knowledge and belief.

(SEAL)

(Notary Public)