

Money Service Business Application

For Currency Exchange



Texas Department of Banking

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NOTICE TO APPLICANTS FOR CURRENCY EXCHANGE

Texas Finance Code, Chapter 152 (Chapter 152), generally requires a person or business to have a license to engage in the money services business in Texas. There are two types of Money Services Business licenses and separate applications for each type. A person or business that engages **only** in the currency exchange business must have a currency exchange license. ***Please note that the application for a money transmission license is a separate application form.***

Certain requirements for a money transmission license are different from the requirements for a currency exchange license. Please read Chapter 152 to determine if you are engaged in a business that requires a license and what kind of license you need. Refer particularly to Sections 152.003 (definitions), 152.004 (exemptions), and 152.101 (money transmission license required) of the Code. Licenses do not expire.

The filing of an Application for a Money Services Business (Application) for a new license, or requesting an Application or otherwise corresponding with the Texas Department of Banking about the need for a license or about your Application, does not authorize you to engage in business activities that require a license under Chapter 152. If you are operating without the required license, you are violating Chapter 152 and you are subject to enforcement action and penalties.

To apply for a Money Services Business license, you must file an Application with the Texas Department of Banking. The Application for a currency exchange license consists of the forms, schedules, exhibits and attachments that are attached to or follow this Notice.

The filing fee of \$5,000 must accompany your application. Your check should be made payable to the Texas Department of Banking. The filing fee is non-refundable. In addition, the Department may charge investigations fees for processing applications that take longer than normal or where an onsite investigation is necessary. You will be notified before any investigation fees are imposed.

If you do not submit the filing fee at the same time you submit your application, your application will be returned.

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.

In accordance with the USA PATRIOT Act of 2001 and the Department of Treasury’s Title 31 CFR Chapter X, pertaining to anti-money laundering programs for the Money Services

Businesses, each applicant must be aware of the requirements of the law and its implementation deadlines. Money services businesses currently established must be in compliance with these requirements, including a current registration with Financial Crimes Enforcement Network (FinCEN), a division of the U.S. Department of Treasury, www.fincen.gov as a money services business.

Please direct any questions regarding a Money Services Business Application or a proposed new license to the Texas Department of Banking, Corporate Activities Division, at (512) 475-1342 or corpmail@dob.texas.gov.

SECURITY: Security is the term used in Chapter 152 to describe the surety bond or deposit required under §§152.353 for a currency exchange license. The required security for a currency exchange license is \$2,500 if the license conducts business with person located in this state exclusively at one or more physical locations through in-person, contemporaneous transactions. Otherwise, the security required for a currency exchange license is the greater of \$2,500 or one percent of the licensee's total dollar volume of currency exchange business in this state for the preceding year not to exceed the maximum security of \$1 million.

Please carefully review §152.353 and §152.354 for details about the security requirements.

NET WORTH: An Applicant that intends to engage only in the currency exchange business and that applies for a Currency Exchange License must submit a current financial statement that demonstrates the Applicant's solvency. The financial statement must be certified to by a responsible officer. The required financial statements must be in English and denominated in U.S. Dollars.

BACKGROUND CHECKS: Extensive background checks are conducted on each Applicant as well as each person in control of the Applicant "Control Person" and Key Individuals. See §152.003 for definitions and *Appendix A-Supplemental Forms* for clarification. These checks include law enforcement agencies, credit reports, and other regulators.

Control Persons and Key Individuals who have resided outside the U.S. at any time in the preceding 10 years, must have an investigative background report prepared by an acceptable search firm. **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 in *Appendix A*. Contact the Corporate Activities Division for additional information.

CONFIDENTIALITY: Review Chapter 152 of the Texas Finance Code thoroughly prior to completing the application form. If you have any questions please contact the Corporate Activities Division at (512) 475-1294. Completed application forms should be mailed to:

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

Information submitted in connection with the application may be subject to disclosure under the Open Records Act and Chapter 152 of the Code. Confidential information should be clearly marked when submitted.

**MONEY SERVICES BUSINESS LICENSE APPLICATION
FOR CURRENCY EXCHANGE**

**This application must be completed for entities seeking to engage in the business of
currency exchange. Refer to Chapter 152 of the Texas Finance Code (TFC)**

1. Full legal name of the Applicant and Federal Taxpayer Identification number.

2. a) Indicate the form of the Applicant's legal organization, e.g. corporation, LLC, limited partnership, sole proprietorship. _____
b) If the Applicant is not a sole proprietorship, and is owned 25% or more by any corporate entity, provide a chart detailing the structure of the organization.

3. Any DBA or assumed name to be used in Texas, if applicable.

4. Primary Business Location (street address, city, state, zip code).

5. Mailing address of Applicant:

Street Address	P.O. Box
City, State, Zip Code	City, State, Zip Code

6. Individual who is to serve as primary contact for questions on the application.
Name: _____
Title: _____
Telephone Number: _____
Email Address: _____

7. Anticipated number of locations to be established in Texas by the Applicant during the first year of operations _____. Service is to be provided through (indicate the number of all that apply):

____ Company Owned Outlets _____ Subsidiaries or Affiliates
 _____ Authorized Delegate _____ Internet
 _____ Other (explain)

8. a) Products or services to be offered directly to Texas citizens under this license:

_____ Currency Exchange

b) Products or services to be offered as an authorized delegate (mark all that apply):

	Product or Service	Name of Licensee
_____	Money Transmission	
_____	Checks	
_____	Travelers Checks	
_____	Bill Pay	
_____	Currency Transportation	
_____	Money Orders	
_____	Drafts	
_____	Prepaid Access Products	
_____	Gift Cards	
_____	Other (explain)	

9. Identify all websites operated by the Applicant.

10. Provide the name, title, telephone number, and email addresses for each of the following individuals:

a) President

Name: _____

Title: _____

Telephone Number: _____

Facsimile Number: _____

Email Address: _____

b) Chief Financial Officer

Name: _____

Title: _____

Telephone Number: _____

Email Address: _____

c) Chief Compliance Officer

Name: _____

Title: _____

Telephone Number: _____

Email Address: _____

d) Individual who is to serve as primary regulatory contact with the Department if the license is granted

Name: _____

Title: _____

Telephone Number: _____

Email Address: _____

11. Identify shareholders who own or control 10% or more of the Applicant. Include the name, address, shares owned or controlled, number and percent of outstanding. If the Applicant is a limited partnership, provide information on the general partner, directors, managers, control shareholders, executive officers or responsible individuals of the general partner.
12. List all individuals who serve on the Board of Directors or Board of Managers or otherwise control or direct the activities of the Applicant.
13. List the names and title of all Key Individuals (not already included in number 10 above). See §152.003(17) for definition of Key Individual which include executive officers, managers, directors, or trustees.
14. Attach evidence of current registration with Financial Crimes Enforcement Network (FinCEN) as an MSB. Forms can be found at the FinCEN's website, www.fincen.gov.
15. Describe in detail any pending or any outstanding enforcement actions taken by a regulatory agency against the Applicant, its affiliates, and any principals of the Applicant, and any judgments outstanding against the Applicant.
16. Does the Applicant owe the department a delinquent fee, assessment, administrative penalty or other amount imposed under Chapter 152 or a rule or Order issued under Chapter 152?
17. Is the applicant currently transacting business in Texas and/or with Texas customers?
 - (a) Indicate how long the Applicant has been conducting business in Texas and
 - (a) Provide the volume of business in Texas in dollars and number of transactions per year.
18. If the Applicant has been operating in Texas as an agent for another licensee, indicate how long the Applicant has been an agent, and provide a copy of the contract with that licensee.
19. Provide a listing of all the states in which you are currently operating.

20. Provide a listing of the other states or jurisdictions in which a license or similar authorization is sought, has been granted, or denied to the Applicant or its affiliates, to engage in the money services business. Include:
- (a) The state, year licensed, type of license held, the agency issuing the license, the name, phone number and email address of the primary regulatory contact and date of last exam.
 - (a) Indicate the volume of business conducted in each jurisdiction in dollars and in number of transactions.
 - (a) List any license revocations, suspension, or disciplinary action taken against the applicant in any other state.

CERTIFICATION

I hereby certify that:

1. 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.
2. On behalf of the Applicant, I certify that the Applicant and each principal of, person in control of, and proposed responsible individual of the Applicant: (1) is familiar with and agrees to fully comply with all applicable state and federal laws and regulations pertaining to the applicant’s proposed money services business, including TFC Chapters 152 and 271, relevant provisions of the Bank Secrecy Act, and the USA PATRIOT ACT; (2) has not within the preceding three years knowingly failed to file or evaded the obligation to file a report, including a currency transaction or suspicious activity report required by the Bank Secrecy Act, the USA PATRIOT ACT, or Chapter 271; and (3) has not knowingly accepted money for transmission or exchange in which a portion of the money was derived from an illegal transaction or activity.
3. The Applicant is not indebted to any local, state, or federal government or political subdivision of the government for delinquent taxes, fines, penalties or fees.
4. To the best of my knowledge and belief, all information necessary for the Commissioner to make an informed decision is contained herein. In addition, I agree to notify the Commissioner if the facts described in the filing materials change prior to issuance of the license.

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

_____ by _____
 (Applicant) (Signature)

 (Printed or Typed Name)

 (Title)

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.

(Notary Public)

REQUIRED EXHIBITS TO APPLICATION

The following exhibits are REQUIRED of every Applicant. Exhibits must be clearly marked. **All information requested in each exhibit should be provided to ensure timely processing of the application.**

EXHIBIT A – BUSINESS PLAN

Attach a copy of the business plan or a detailed summary of the business plan. The business plan must describe in detail the following:

1. Method and types of operations including activities and types.
2. Location of operations and outlets, number and type, at the end of each of the first two years of operation in Texas.
3. Projections for the first two years showing the anticipated growth in volume and in number of transactions during each of the first two years of operations in Texas.

EXHIBIT B – FINANCIAL STATEMENTS

1. Include the most recent current fiscal year-end financial statement certified by a responsible officer which may be prepared by an auditor or other qualified personnel in accordance with (a), (b), and (c), and which demonstrates solvency. Such statement must also contain certification language such as: “I hereby certify under penalty of perjury that the information contained in this confidential financial report, including supplemental schedules, has been carefully examined by me and is correct and complete and further acknowledge that there are no misrepresentation or omissions of material facts.”
 - a) Constructed in accordance with generally accepted accounting principles.
 - b) Including:
 - (1) Balance Sheet.
 - (2) Statement of Income and Retained Earnings.
 - c) If the Applicant’s fiscal year ends 120 or more days prior to the date of application, then the Applicant must forward the aforementioned certified financial statements covering the most recent fiscal year; and, the interim financial statements covering the most recent accounting period within 90 days of the date of application. The interim financial statement must also be prepared by the auditor or other qualified party, and certified by a responsible officer.
2. Publicly Traded Entities:
 - If the applicant is a publicly traded corporation, upload a copy of the most recent report (10-K or 10-Q) filed with the United States Securities and Exchange Commission under Section 13, Securities Exchange Act of 1934 (15 U.S.C. Section 78m).

- If the applicant is a wholly owned subsidiary of a corporation publicly traded in the United States, a copy of audited financial statements for the parent corporation for the most recent fiscal year or a copy of the parent corporation's most recent report filed (10-K or 10-Q) under Section 13, Securities Exchange Act of 1934 (15 U.S.C. Section 78m).

EXHIBIT C – SUPPLEMENTAL FORMS

A number of forms are considered supplemental forms and must also be included with the application. *Refer to Appendix A of this application to determine which forms must be completed and by whom.*

EXHIBIT D – ORGANIZATIONAL STRUCTURE & CORPORATE DOCUMENTS

1. Provide a brief description of the structure or organization of the applicant, including any parent entity or subsidiary of the applicant, and whether any parent entity or subsidiary is publicly traded.
2. Provide a list of any criminal convictions and material litigation in which a person in control of the applicant that is not an individual has been involved in the 10-year period preceding the submission of the application.
3. Provide a copy of the filed Applicant's Certificate of Formation or other organizing documents, as well as those of any other entity that controls the Applicant, and evidence of registration with the Texas Secretary of State, if the Applicant is not a Texas entity.

***NOTE TO CORPORATIONS:** *If the Applicant is applying as a Texas corporation, limited liability company or limited partnership, or if the Applicant is a foreign corporation (e.g., a corporation not incorporated in Texas) seeking to register to do business in Texas, contact:*

*Texas Secretary of State
Corporations Section
P.O. Box 13697
Austin, Texas 78711-3697
512/463-5555*

4. Does the applicant have a registered agent? If yes, provide the name and address of the applicant's registered agent.

EXHIBIT E – CERTIFICATE OF GOOD STANDING

A Certificate of Good Standing in the state or country of incorporation and a Franchise Tax Account Status from the Texas Office of Comptroller of Public Accounts, if the Applicant is a corporation. *See Appendix B for NOTICE TO ALL CORPORATIONS.*

EXHIBIT F – ASSUMED NAME FILINGS

Copies of the assumed name filings, as applicable, filed with the Secretary of State and with the clerk of court in the counties where the Applicant proposes to do business, if a name other than the legal name of the Applicant is to be used in Texas.

EXHIBIT G – SECURITY

Acceptable security may be in the form of a surety bond issued by a company authorized to do business in Texas or deposit in lieu of bond by an acceptable financial institution in the amount required by § 152.353. The original document must be submitted with the application. *Refer to appendix C of this application for forms.*

EXHIBIT H – CLEARING ACCOUNTS

Provide a letter from the bank's compliance officer, for each clearing account to be utilized in the business, indicating that the bank is aware that the applicant accounts are being used to facilitate the operation of a money services business. The letter should also indicate if there are any restrictions/conditions placed on this account by the Bank before they allow the applicant to use it for money services business activity (i.e. .license granted, etc.).

The letter must also include the following information:

- Name of Financial Institution
- Street Address
- Contact Person
- Phone and fax numbers
- Account type
- Account number

EXHIBIT I – ACH FORM

This form must be submitted at the time of application and must be signed by the applicant. *Refer to Appendix D of this application for ACH form.* Please note annual license fees and assessment fees owed to the Department pursuant to §33.27 of the Texas Administrative Code may only be paid via ACH debit. No other method of payment is accepted by the Department

EXHIBIT J – CERTIFICATION OF REGULATORY COMPLIANCE

A signed Certification of Regulatory Compliance (below) with all required attachments provided.

EXHIBIT J
CERTIFICATION OF REGULATORY COMPLIANCE

As evidenced by our signatures, we duly appointed principals of (name of applicant) _____, do hereby certify the following:

1. Applicant and each principal of, person in control of, and proposed responsible individual of the Applicant is familiar with and agrees to fully comply with all applicable state and federal laws and regulations pertaining to the applicant's proposed money services business, including Chapters 152, and 271 of the Texas Finance Code, Chapter 33 of the Texas Administrative Code and relevant provisions of the Bank Secrecy Act, and the USA PATRIOT ACT.
2. The applicant will have in a place a formally adopted and fully implemented written anti-money laundering program that complies with Title 31 Code of Federal Regulations (CFR) Chapter 1022.210. Such program shall include a risk assessment and procedures employed to "Know your customer". **[A copy of the written anti-money laundering program and risk assessment must be submitted with this exhibit and marked as Exhibit J-1]**
3. The applicant will ensure that the methods to be utilized to inform customers about their rights to file a complaint with the Texas Department of Banking will comply with the requirements of Texas Administrative Code Section 33.51. **[A copy of the consumer complaint notice be submitted with this exhibit and marked as Exhibit J-2]**
4. The applicant will prepare and maintain records and reports in accordance with the requirements of Texas Finance Code Sections 152.202 and 152.207, and Section 33.31 Texas Administrative Code.
5. The applicant acknowledges that each authorized delegate must prominently display a notice that indicates that the person is an authorized delegate of the applicant in accordance with Texas Administrative Code Section 33.51(f). **[A copy of the authorized delegate affiliation notice must be submitted with this exhibit and marked as Exhibit J-3]**
6. The contract utilized in the business with authorized delegates will conform to the requirements of Texas Finance Code Section 152.252(d). **A copy of the authorized delegate agreement must be submitted with this exhibit and marked as Exhibit J-4]**
7. The applicant will take all measures to ensure that customer information is protected and will have in place procedures to adhere to the Gramm-Leach-Bliley Act (Right to Financial Privacy Act).
8. The applicant will adopt and implement procedures pertaining to Office of Foreign Asset Control (OFAC) to ensure compliance with regulations prohibiting transactions with persons or entities on the OFAC Specially Designated Nationals List.
9. The applicant will have in place procedures to ensure compliance with state recordkeeping requirements including Texas Administrative Code Sections 33.31 and 33.33 federal recordkeeping requirements including 31 CFR §1022.410.

- 10. The applicant shall ensure that receipts provided in connection with the currency exchange activity are in compliance with Texas Administrative Code Section 33.33. **[A sample copy of the currency exchange receipt must be submitted with this exhibit and marked as Exhibit J-5]**
- 11. The applicant will have in place an information system which is suitable to the type of business in which the applicant will engage and the security hardware, software, and procedures will be sufficient to protect the applicant from unauthorized tampering or access; and as appropriate, will be integrated with the anti-money laundering program and compliance procedures.
- 12. If the person in control of the applicant is not an individual, the person in control of the applicant has not had any criminal convictions and has not been involved in any material litigation within the 10-year period preceding the submission of the application. **[If any of this statement is false, submit a list of convictions and material litigation with this exhibit marked as Exhibit J-6]**

At a minimum, this certification must be signed by the President, Chief Financial Officer, and the Chief Compliance Officer.

We, the undersigned principals of _____ (applicant) do hereby acknowledge that we have received and read this Certificate of Regulatory Compliance and further acknowledge that it is not inclusive of regulatory requirements and/or best business practices.

 (Printed Name) Title _____

 (Signature) Date _____

 (Printed Name) Title _____

 (Signature) Date _____

 (Printed Name) Title _____

 (Signature) Date _____

(use additional pages if needed)

APPENDICES

The attached forms and instructions are part of the application. The forms must be completed as indicated and included in the application as part of the exhibits indicated above.

APPENDIX A – REQUIRED SUPPLEMENTAL FORMS

Refer to the instructions below to determine which of these supplemental forms must be completed. Unless indicated to the contrary, all requirements for supplemental forms apply only to individuals.

Key Individuals

The definition of Key Individual per Texas Finance Code Section 152.003(17) includes an individual who is ultimately responsible for establishing or directing policies and procedures of a money services licensee, including an executive officer, manager, director, or trustee. Each Key Individual must submit:

1. Authority to Release Information
2. Statement of Personal History
3. Fingerprints – (*See Fingerprint Instructions below*)
4. Search Firm Report (*See Search Firm Report Instructions below*)

Control Persons and Legal Entities

- **Control Persons** - A “Control Person” is any person who has control of the applicant. See Section 152.003(8) of the Code for definitions of control and Section 152.061 of the Code for definition of presumption of control. Control Persons must submit:
 1. Authority to Release Information
 2. Statement of Personal History
 3. Personal Financial Statement**
 4. Fingerprints – (*See Fingerprint Instructions below*)
 5. Search Firm Report (*See Search Firm Report Instructions below*)
- **Spouse** – Applicants who are individuals or wholly owned directly or indirectly by a single individual must have spouses of the controlling owners also submit fingerprints, authority to release information and statement of personal history.
- **Legal Entities** directly or indirectly controlling 50% or more of the applicant must submit a current certified financial statement.

***Personal Financial Statements, whether required only for an individual or for an individual and spouse, may include joint financial information for both spouses. Joint financial statements must be signed by both spouses.*

Complex Organizational Structures

Supplemental form requirements for complex organizational structures will be evaluated on a case-by-case basis. Pre-submission of the organizational chart and proposed structure may be necessary to determine the applicability of various forms.

FINGERPRINT INSTRUCTIONS

The collecting and submitting of fingerprints to the FBI is handled through the Texas Department of Public Safety (DPS). They use an exclusive vendor, IdentoGo by MorphoTrust USA to gather the fingerprints.

Fingerprints, electronic or physical cards, should not be submitted to MorphoTrust prior to the Department acknowledging receipt of your application (for new applicants) or receipt of an authority to release information form (for current supervised, licensed or registered entities). Upon receipt of a new application the Department will provide you with a Texas Fingerprint Service Code Form and detailed instructions so you may begin the fingerprinting process. **Please note that you may be required to resubmit fingerprints if you begin the process with MorphoTrust prior to the Department's acknowledgment of receipt of a new application or authority to release information form.**

Non-Texas residents and Texas residents located outside of IdentoGo's service areas may submit physical fingerprint cards to MorphoTrust USA's office for electronic processing. You may have these individuals fingerprinted by a local Law Enforcement Agency, such as a local police station, sheriff's office or county police department, or a private company with an expertise in fingerprinting before you submit your application or authority to release information forms. **However, these physical cards should not be submitted to MorphoTrust until you are instructed to do so by the Department. In addition, fingerprint cards should not be submitted directly to the Department.**

Please be aware that some law enforcement agencies charge a fee for taking fingerprints. In addition, please note the Department does not provide fingerprint cards. You must obtain your own FBI fingerprint cards.

SEARCH FIRM REPORT INSTRUCTIONS

Control Persons and Key Individuals who have resided outside the U.S. at any time in the preceding 10 years, must have an investigative background report prepared by an acceptable search firm. The search firm report must be prepared by an independent search firm and both the search firm and the search firm report must meet the requirements of Section 152.105(c) of the Code. The report must be submitted directly to the Department by the search firm.

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

B. EDUCATION: (Account for all schools attended beyond 12th grade.)

Dates	Name and Address of School	Grade Completed

C. EMPLOYMENT: (List all employment for the past 10 years in chronological order.)

Dates From: To:	Name and Address of Employer (Include Street, City, State and Zip)	Reason For Leaving

D. RESIDENCES: (Show all residences for the past 10 years in chronological order)

Dates From: To:	Street and Number, City, State, and Zip

E. List all your occupational or professional licenses, including those surrendered, which have been issued by an agency of **ANY** state, the U.S. federal government, or the government of any other country.

Type of License	Name/Address of Licensing Agency	Original Issuance Date	Expiration Date

F. List all your occupational or professional licenses that have been refused, denied, revoked, or suspended by an agency of **ANY** state, the U.S. federal government, or the government of any other country.

Type of License	Name/Address of Licensing Agency	Type of Action	Date of Action

G. Have you ever been detained, held, arrested, indicted, or summoned into court as a defendant in a criminal proceeding, or convicted, fined, imprisoned, or placed on probation, or ordered to deposit bail or collateral for the violation of any law, ordinance, police regulation, or military regulation other than for a misdemeanor? Yes ____ No ____ . If the answer is "Yes," complete the following.

Date	Offense	Location of Offense	Disposition

H. Have you ever been granted any security clearance in connection with any employment? Yes ____ No ____ . If "Yes," provide details. _____

I. Have you ever been refused bond or had a bond cancelled or revoked? Yes ____ No ____ . If "Yes," provide details. _____

J. Have you ever been in a position which required a fidelity bond? Yes ____ No ____ . If any claims were made on the bond, give details. _____

K. Has an order, injunction or judgement, whether or not final, been entered against you in a civil action on account of fraud, misrepresentation or deceit? Yes ____ No ____ . If "Yes," provide details on a separate sheet.

- L. Have you been sued in a civil action within the last 10 years? Yes ____ No ____ . If “Yes,” provide details on a separate sheet.
- M. Have you filed bankruptcy or served as a principal of an entity that filed bankruptcy within the last 10 years? Yes ____ No ____ . If “Yes,” provide details on a separate sheet.
- N. Are you currently the subject of an administrative action or order issued by an administrative agency of this state, the federal government, or any other state or territory of the United States, or the government of any other country? Yes ____ No ____ . If “Yes,” provide details on a separate sheet.
- O. Do you owe delinquent taxes to any local, state, or federal government or political subdivision of the government? Yes ____ No ____ . If “Yes,” provide details on a separate sheet.
- P. Do you owe the Department or any state any delinquent fees, assessments, administrative penalty, or other amount imposed by state or federal court order? Yes ____ No ____ . If “Yes,” provide details on a separate sheet.
- Q. Have you been convicted of a felony criminal offense under state or federal law, or a similar law of a foreign country, related to deception, dishonesty, or defalcation? Yes ____ No ____ . If “Yes,” provide details on a separate sheet.
- R. Have you been convicted of a felony criminal offense under state or federal law, or a similar law of a foreign country, related to money transmission or other money services, including a reporting, recordkeeping or registration requirement of the Bank Secrecy Act, the USA PATRIOT ACT or Chapter 271? Yes ____ No ____ . If “Yes,” provide details on a separate sheet.
- S. Have you been convicted of a felony offense under state or federal law, or a similar law of a foreign country, related to money laundering, structuring, or a related financial crime, drug trafficking or terrorist funding? Yes ____ No ____ . If “Yes,” provide details on a separate sheet.
- T. Have you or your spouse been convicted of a similar criminal offense to that referenced in Q – S under a similar law of a foreign country? Yes ____ No ____ . If “Yes,” provide details on a separate sheet.
- U. Do you owe the Department a delinquent fee, assessment, administrative penalty or other amount imposed by Chapter 152 or a rule or order issued under Chapter 152? Yes ____ No ____ . If “Yes,” provide details on a separate sheet.

I hereby certify under penalty of perjury that I am acting on my behalf, and that the foregoing statements are true and correct.

Date: _____ Signature: _____

Typed or Printed Name: _____

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			Driver's 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)

PERSONAL FINANCIAL STATEMENT

Name _____

Applicant _____

Statement of Financial Condition as of _____, 20____ for the period
_____, _____ to _____, _____

ASSETS		LIABILITIES AND NET WORTH	
Cash on Hand & in Banks (Schedule 1)	\$	Notes Payable to Banks-Secured & Unsecured (Schedule 6)	\$
U.S. Government Securities		Notes Payable to Relatives (Schedule 6)	
Accounts, Loans, & Notes Receivable (Sch 2)		Accounts & Notes Payable to Others (Schedule 6)	
Marketable Stocks & Bonds (Schedule 3)*		Rents & Interest Due	
Real Estate (Schedule 4)		Real Estate Taxes Due (Schedule 4)	
Automobiles - Number ()		Liens on Real Estate (Schedule 4)	
Proprietary Interests (Schedule 5)**		Other Taxes Due	
Other Assets (Itemize)***		Other Liabilities (Itemize)	
		TOTAL LIABILITIES	
		NET WORTH	
TOTAL ASSETS	\$	TOTAL LIABILITIES AND NET WORTH	\$

ANNUAL INCOME		CONTINGENT LIABILITIES	
Salary		As Endorser or Co-Maker	
Bonus & Commissions		On Leases or Contracts	
Dividends & Interest		Legal Claims	
Real Estate Income		Provision for Federal Income Tax	
Other Income (Itemize)		Other Special Debt (Itemize)	
TOTAL INCOME	\$	TOTAL CONTINGENT LIABILITIES	\$

Assets pledged or hypothecated valued at \$_____ are pledged to secure notes or obligations aggregating \$_____.
I have additionally endorsed, guaranteed or am contingently liable for debts of others amounting to \$_____.

I hereby certify under penalty of perjury that the information contained in this confidential financial report, including supplemental schedules, has been carefully examined by me and is correct and complete and further acknowledge that there are no misrepresentation or omissions of material facts.

Dated and signed this ____ day of _____, 20 ____.

(Signature)

(Typed or Printed Name)

- * Marketable securities are generally only those which are listed on the NY, American Stock Exchanges and NASDAQ.
- ** If the stock of a company amounts to 25% or more of an individual's net worth, financial statements, including balance sheet, profit and loss, cash flow statements of the company must be provided for the past year.
- *** If total reflected on this line represents 10% or more of your net worth, a schedule must be provided listing each item separately and providing a complete description, including financial information, if appropriate.

****PROPERIETARY INTERESTS
(Schedule 5)**

Provide the following information regarding all business enterprises in which you hold a beneficial interest. The term "business enterprise" includes any corporation, association, partnership, business trust, sole proprietorship or other business which shares are not listed on a securities exchange or otherwise regularly traded. Under the heading "Form of Business", state the legal form of the business. Under "Nature of Business and Percentage of Ownership", explain what the business enterprise does and percentage of your ownership interest. Submit year-end financial statements, including profit and loss and cash flow statements, for the last year for each business interest in which you have an interest equal to 25% or more of your net worth.

Name and Address of Business	Legal Form of Business	Nature of Business and % of Ownership	Date Acquired	Current Value
			TOTAL	

Schedule 6. Notes or Accounts Payable.

Name of Lender	Lender's Address	Due Dates and Payments	Security or Collateral	Balance Owed
			TOTAL	

CASH FLOW STATEMENT

Provide the following information regarding sources and uses of cash during the last two years, the current year, and a projected year.

Sources of Cash	20__	20__	Current*	Projected
Salaries, Wages, Commissions, Bonuses, or Other Income from Employment (Net of Deduction)				
Dividends				
Interest				
Royalties				
Distributions				
Cash Received from Individual Business, Partnership, or Joint Ventures				
Real Estate				
Other**				
Total Cash Received				

Uses of Cash	20__	20__	Current*	Projected
Personal Expenses (Management, Rent and Household, Etc.)				
Bank Loan – Principal and Interest				
Others Loans – Principal and Interest				
Insurance Payments				
Income Taxes Not Covered by Withholding				
Other**				
Total Cash Outlays				
Cash Flow Surplus (Deficit)				

If current year is reported for less than a full fiscal or annual period, please provide the dates for the period reported.

**Itemize any items amounting to 10% or more of total income on separate page.

APPENDIX B –

***NOTICE TO ALL CORPORATIONS APPLYING FOR MONEY
SERVICE BUSINESS LICENSES***

PLEASE READ CAREFULLY

An applicant for a money service business license under Chapter 152, Texas Finance Code, must demonstrate to the satisfaction of the Texas Banking Commissioner that the corporation does not owe any delinquent franchise or other taxes to this state.

A Franchise Tax Account Status must be submitted with all new applications submitted by corporations, limited liability companies, S corporations, professional corporations, and Edge Act Corporations. The Franchise Tax Account Status states whether a taxable entity's right to transact business in Texas is intact at the time the query is made.

If an Applicant cannot provide a Franchise Tax Account Status, then its application must include evidence and a statement of legal counsel satisfactory to the Department that the Applicant does not owe any delinquent franchise or other taxes to this state.

You may contact the Texas Office of the Comptroller of Public Accounts at the numbers listed below to request information for obtaining a Franchise Tax Account Status.

Franchise Tax Help
Toll Free: 1-800-252-1386
Austin Telephone: 512-463-4600
<http://www.window.state.tx.us>

APPENDIX C – SECURITY FORMS

MONEY SERVICES BOND

Policy Number _____

KNOW ALL MEN BY THESE PRESENTS, that _____
(Name and Business Address of Applicant)

of the City of _____ County of _____ and State of _____ as principal (the “principal” or “license holder”) and _____ of the City of _____ County of _____ and State and zip code of _____ as surety, are held and firmly bound unto the Texas Banking Commissioner (the “Commissioner”) and any customer of the license holder for the use and benefit of the Commissioner and the Texas Department of Banking (the “Department”) and any such customer of the license holder for any liability incurred with respect to any currency exchange or money transmission business conducted by the license holder under, subject to, or by virtue of the provisions of the Texas Finance Code, Chapter 152 (the “Code”), including without limitation any delinquent fee, assessment, cost, penalty, or other amount imposed on and owed by the license holder to the Commissioner or the Department, in the penal sum of _____ Dollars, (\$ _____), for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns jointly and severally by these presents.

WHEREAS, the aforesaid principal has applied for a license under the provisions of the aforesaid Code, and,

WHEREAS, the aforesaid Code provides, and includes as a precedent to the issuance of a license, that the principal shall furnish a bond in accordance with and that satisfies the requirements of §152.353 of the Code.

NOW THEREFORE, if the license holder will faithfully conform to and abide by the provisions of this Code and will honestly and faithfully apply all funds received and perform all obligations and undertakings in connection with any currency exchange or money transmission business under the Code and will pay to the Commissioner and the Department and to any customer or recipient designated by a customer all money that becomes due and owing to the Commissioner and the Department or to such person under the provisions of the Code because of any such business by the license holder under and by virtue of the provisions of the Code, then this obligation will be void; otherwise will remain in full force and effect.

PROVIDED, HOWEVER, in no event shall all aggregate liability of the surety under this bond for any and all claims to one or more claimants exceed the penal sum of this bond.

PROVIDED FURTHER, that the bond is conditioned that the principal will not violate the Code or a rule adopted pursuant to the Code, as long as the principal holds a license issued by the Department for activities conducted subject to the Code.

The bond shall remain in effect for the entire term of the license in connection with which it is being issued, unless sooner revoked by thirty (30) or more days written notice to the Commissioner.

If the surety herein shall so elect, this bond may be conditionally cancelled at any time by the surety herein by filing with the Commissioner a thirty (30) days written notice of such conditional cancellation, but said surety so filing said notice shall not be discharged from any liability accrued under this bond or which shall accrue herein before the expiration of said thirty (30) day period. The bond shall automatically renew for any succeeding renewals of the license without need of any action or notice by any party.

IN WITNESS WHEREOF, we have duly executed the foregoing obligation this _____ day of _____, 20 __, to be effective on the _____ day of _____, 20 __.

Principal _____

By _____
(Print or Type Name)

Signature _____

Title _____

Surety _____

By _____
(Print or Type Name)

Signature _____

Title _____

DEPOSIT IN LIEU OF SURETY BOND

UNDER THE TEXAS FINANCE CODE CHAPTER 152

THIS CONTRACT AND AGREEMENT is entered into in triplicate on _____, 20____, between _____ (the "License Holder"), a(n) _____ organized under the laws of the State of _____ and doing business in the State of Texas, and the Commissioner of the Texas Department of Banking (the "Commissioner");

LEGAL AUTHORITY FOR DEPOSIT INSTEAD OF BOND

The License Holder is subject to the Texas Finance Code, Chapter 152 (the "Code"), entitled "Money Services Modernization Act" regulating the business of currency exchange and money transmission. Instead of furnishing all or part of the surety bond required by the Code, the License Holder is permitted to deposit with the Commissioner an aggregate amount (the "Security"), including cash, certificates of deposit and interest-bearing securities that equals the total amount of the required bond or the remaining part of the bond. The License Holder may deposit the Security with any financial institution possessing trust powers that is authorized to conduct a trust business in the State of Texas acceptable to the Commissioner.

THE COMMISSIONER'S FINDING

The Commissioner finds that _____ (the "Custodian"), a(n) _____, located in _____, is authorized to conduct trust business in the State of Texas, and is an acceptable Custodian for the License Holder's deposit.

LICENSE HOLDER'S DEPOSIT

The License Holder deposits with Custodian the following Security and all renewals, substitutions and replacements thereof:

It is agreed between the parties:

1. Subject to the provisions of the Agreement, the Security is deposited for the benefit of the State of Texas and any creditor of the License Holder for any liability incurred by the License Holder under and by virtue of the Code.

2. The Security deposited may be exchanged from time to time for other Security of an equal par value that qualifies under the provisions of the law relating to this deposit, such substituted Security to be with joint written approval of the Commissioner, License Holder, and Custodian.
3. All interest or dividends on all Security deposited will be payable to or in accordance with the instructions of the License Holder, unless the Commissioner gives contrary notice in writing to the Custodian. The Commissioner's notice will be effective two business days after the Custodian actually receives the notice.
4. The original principal amount of the Security deposited under the terms of this Agreement (plus interest accruing after the effective date of any notice given in accordance with paragraph 3 above) will be controlled exclusively by the Commissioner, who has the right from time to time to withdraw it. However, any withdrawal request from the Commissioner must be either:
 - (A) in writing and supported by a certified copy of an order of a court of competent jurisdiction; or
 - (B) by an original or certified copy of a written order of the Commissioner containing the Commissioner's signature.

Withdrawals by the Commissioner must satisfy any liability the Custodian has to the Commissioner and will relieve the Custodian of all liability to License Holder for the amounts withdrawn.

5. If the License Holder will:
 - (A) faithfully conform to and abide by the provisions of the Code;
 - (B) honestly and faithfully apply all funds received and perform all obligations and undertakings for exchange issued and sold under the Code; and
 - (C) pay to the State and to any person all money that becomes due and owing to the State or to such person under and by virtue of the provisions of the Code;

then the Commissioner will have no further right in or claim to the Security covered by his Agreement, and must, by written order containing the signature of the Commissioner, notify the Custodian of the termination of the Commissioner's rights in the Security. Unless the Custodian receives an original or a certified copy of a written order from the Commissioner containing the signature of the Commissioner or an order from a court of competent jurisdiction terminating the Commissioner's rights in the Security, Custodian may assume that this

Agreement remains in effect and that the rights of the Commissioner in the Security remain in existence.

6. The Custodian may rely on any and all certified notices or certified orders of the Commissioner submitted from the Commissioner to the Custodian under this Agreement, purporting to bear the signature of the Commissioner, without further inquiry into the authenticity of the signature or the authority or entitlement of the Commissioner to issue such certified notices or orders.
7. All notices or orders to Custodian must be delivered by certified mail, return receipt requested or by overnight or local delivery courier. All notices or orders provided for under this Agreement will be deemed to be received when actually received by the addressee. All parties must promptly notify all other parties of an address change. Notices and orders to the Custodian must be addressed as follows:

(Custodian's Name and Address)

8. Nothing in this Agreement requires Custodian to violate any applicable laws, any court order or the instructions of any bankruptcy trustee.
9. The Security is subject to Custodian's terms and conditions of deposit accounts now in existence and as they may be modified in the future, except to the extent that the terms and conditions are specifically inconsistent with this Agreement.
10. Custodian is not liable for any indirect damages, lost profits, special, punitive or consequential damages that arise out of or in connection with the obligations contemplated by this Agreement. The provisions of this paragraph will survive termination of this Agreement.
11. This Agreement is executed in triplicate originals, one to be kept by each of the parties hereto, and one to be kept by the Custodian.

SIGNED AND DELIVERED in triplicate this _____ day of _____, 20____.

(License Holder)

By: _____
(Signature)

(Printed Name)

(Title)

Banking Commissioner of Texas

_____, Custodian, hereby acknowledges receipt of the Security described in the foregoing agreement, and covenants and agrees that the same will be held by it for the purposes and subject to the terms and conditions of this agreement, but reserves the right to resign as Custodian by giving 30 days written notice to the signers of the Agreement at the addresses specified below.

Banking Commissioner of Texas
2601 North Lamar Blvd.
Austin, Texas 78705

(License Holder's Name and Address)

Custodian will become bound by the terms of this Agreement only after it receives an original counterpart fully executed by all parties.

(Custodian's Name)

By: _____
(Signature)

(Printed Name)

(Title)

DATED: _____

APPENDIX D - ACH FORM

**AUTHORIZATION FOR DIRECT PAYMENT
OF REGULATORY ASSESSMENTS (ACH DEBIT)**

I hereby authorize the Texas Department of Banking (the "DOB") and/or the Texas Comptroller of Public Accounts, on behalf of the DOB, to initiate debit entries to the deposit account (the "account") indicated below at the depository financial institution (the "Depository") indicated below, and to debit the same to the account. I understand that debit entries will be initiated from the account to pay annual license and assessment fees owed the DOB pursuant to §33.27 of the Texas Administrative Code and that I will be given at least 15 days notice prior to the debit entry. I acknowledge that the entries must comply with the provisions of U.S. law.

This authorization will remain in effect unless terminated because of a corporate reorganization. The account information will remain effective unless modified because of a change in the account to which debits are authorized. I understand that written notice of a termination or modification must be provided to the DOB at least 30 days in advance of a scheduled debit.

Name of License Holder _____

License Number _____ Date _____

Signature _____ Title _____

Printed Name _____

**THE FOLLOWING ACCOUNT INFORMATION MUST BE COMPLETED BY YOUR
FINANCIAL INSTITUTION:**

Bank Name _____

Branch _____

City _____ State _____ Zip _____

Bank Contact Name _____

Bank Contact Phone Number _____

ACH/Routing Number (9 digit number) _____

Account Number _____

Type of Account ___ Checking ___ Savings