



NE-SOS Collection Agency License New Application Checklist (Company)

CHECKLIST SECTIONS

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- [License Fees](#)
- [Requirements Completed in NMLS](#)
- [Requirements/Documents Uploaded in NMLS](#)
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GENERAL INFORMATION

Who Is Required to Have This License?

All persons, firms, corporations, and associations directly or indirectly engaged in soliciting, from more than one person, firm, corporation, or association, claims of any kind owed or due or asserted to be owed or due such solicited person, firm, corporation, or association, and all persons, firms, corporations, and associations directly or indirectly engaged in asserting, enforcing, or prosecuting such claims.

Any person, firm, corporation, or association which, in attempting to collect or in collecting his, her, or its own accounts or claims, uses a fictitious name or any name other than his, her, or its own name which would indicate to the debtor that a third person is collecting or attempting to collect such account or claim.

Any person, firm, corporation, or association which attempts to or does give away or sell to any person, firm, corporation, or association, other than one licensed under the act, any system or series of letters or forms for use in the collection of accounts or claims which assert or indicate, directly or indirectly, that the claim or account is being asserted or collected by any other person, firm, corporation, or association other than the creditor or owner of the claim or demand.

[Neb. Rev. Stat. § 45-602\(2\)](#).

****All new applicants will be required to apply using NMLS beginning on 10/1/2021****

Activities Authorized Under This License

This license authorizes the following activities...

- Third party debt collection
- Directly or indirectly collecting or receiving payment for others of any delinquent account, bill, claim or other indebtedness (not including mortgage indebtedness).

Pre-Requisites for License Applications

- NONE

The Nebraska Collection Agency Licensing Board ("Board") does issue paper licenses for this license type.

Document Uploads Guidance

Documents that must be uploaded to the *Document Uploads* section of the Company Form (MU1) in NMLS are indicated in the checklist below. When uploading documents:

- Follow the guidance in [Document Upload Descriptions and Examples](#).
- Only upload documents relevant to the company application.
- Only upload documents where there is a selectable document category. If inappropriate documents are uploaded that should not be, you will be contacted by your regulator and asked to remove them from NMLS.
- Do not upload the same company documents multiple times. Generally, unless the document is state-specific, if the document has already been uploaded for another state, a new upload is not required unless changes have been made.
- If a document previously uploaded has been revised, delete the old document and replace it with the new document (history of the old document will remain in NMLS).
- For state-specific documents (e.g., Surety Bonds), be sure to indicate the applicable state.

Helpful Resources

- [Company Form \(MU1\) Filing Instructions](#)
- [Document Upload Descriptions and Examples](#)
- [Individual Form \(MU2\) Filing Quick Guide](#)
- [Financial Statements Quick Guide](#)
- [Payment Options Quick Guide](#)
- [License Status Definitions Quick Guide](#)

Agency Contact Information

Contact the Board staff by phone at *(402) 471-8606* or send your questions via email to sos.licensing@nebraska.gov for additional assistance.

For U.S. Postal Service:

Nebraska Collection Agency Licensing Board
Nebraska Secretary of State
1201 N Street, Ste. 120
P.O. Box 94608
Lincoln, NE 68509

For Overnight Delivery:

Nebraska Collection Agency Licensing Board
Nebraska Secretary of State
1201 N Street, Ste. 120
Lincoln, NE 68509

THE APPLICANT/LICENSEE IS FULLY RESPONSIBLE FOR ALL OF THE REQUIREMENTS OF THE LICENSE FOR WHICH THEY ARE APPLYING. THE AGENCY SPECIFIC REQUIREMENTS CONTAINED HEREIN ARE FOR GUIDANCE ONLY TO FACILITATE APPLICATION THROUGH NMLS. SHOULD YOU HAVE QUESTIONS, PLEASE CONSULT LEGAL COUNSEL.

LICENSE FEES - Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE.

Complete	NE-SOS Collection Agency License	Submitted via...
<input type="checkbox"/>	<p>NE Collection Agency Application Fee: \$200</p> <p>NE Collection Agency License/Registration Fee: \$200</p> <p style="padding-left: 40px;">Investigative Fee (not required for change of ownership applications)</p> <p>NMLS Initial Processing Fee: \$0</p>	NMLS (Filing submission)
<input type="checkbox"/>	<p>Solicitor Fees: \$1 for each solicitor of the Applicant</p>	NMLS (Agency Fee Invoice)

REQUIREMENTS COMPLETED IN NMLS

Complete	NE-SOS Collection Agency License	Submitted via...
<input type="checkbox"/>	<p>Submission of Company Form (MU1): Complete and submit the Company Form (MU1) in NMLS. This form serves as the application for the license/registration through NMLS.</p>	NMLS
<input type="checkbox"/>	<p>Financial Statements:</p> <p>Please complete the Nebraska Financial Statement</p> <p>Upload a financial statement prepared signed by an executive officer/manager in accordance with Generally Accepted Accounting Principles dated within 90 days of your fiscal year end. Financial statements should include a balance sheet, income statement, and statement of cash flows and all relevant notes thereto. If applicant is a start-up company, only an initial statement of condition is required.</p> <p>Note: Financial statements are uploaded separately under the Filing tab and <i>Financial Statement</i> submenu link. See the Financial Statements Quick Guide for instructions.</p>	NMLS
<input type="checkbox"/>	<p>Other Trade Name: If operating under a name that is different from the applicant's legal name, that name ("Trade Name", "Assumed Name" or "DBA") must be listed under the <i>Other Trade Names</i> section of the Company Form (MU1). The Board does not limit the number of other trade names.</p>	<p>Upload in NMLS: under the Document Type <u>Trade Name/Assumed Name Registration Certificates</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p>

<input type="checkbox"/>	<p>Resident/Registered Agent: The Registered Agent must be listed under the <i>Resident/Registered Agent</i> section of the Company Form (MU1) and must match the information currently on record with Nebraska Secretary of State.</p>	<p>NMLS</p>
<input type="checkbox"/>	<p>Primary Contact Employees: The following individuals must be entered into the <i>Contact Employees</i> section of the Company Form (MU1).</p> <ol style="list-style-type: none"> 1. Primary Company Contact. This is the primary person to contact for all licensing and regulatory needs other than complaints. 2. Primary Consumer Complaint Contact. This is the contact person when this office receives a complaint involving the licensee. 	<p>NMLS</p>
<input type="checkbox"/>	<p>Books and Records Location: In the “Books and Records” section of the Form MU1, update/confirm the name, title, address, and telephone number of the record custodian responsible for maintaining documents/information.</p> <p><u>THIS IS A REQUIREMENT. FAILURE TO PROVIDE THIS INFORMATION WILL RESULT IN DELAY PROCESSING YOUR APPLICATION.</u></p> <p>Note: All Licensees are required to maintain a regular office in Nebraska. The minimum requirements for a regular office are as follows:</p> <ul style="list-style-type: none"> • It maintains regular business hours or other hours as posted to the public • Actual document records or access to electronically stored records of all collections and claims involving clients or debtors in Nebraska held by the Licensee. <p>433 NAC 2 020</p> <p>If you are an out-of-state applicant, please provide the name, address, and contact information of your Nebraska office.</p>	<p>NMLS</p>
<p>Note</p>	<p>Non-Primary Contact Employees: NE Collection Agency does not require any non-primary contacts to be listed in the <i>Contact Employees</i> section of the Company Form (MU1).</p>	<p>N/A</p>
<p>Note</p>	<p>Bank Account: Bank account information is not required. The <i>Bank Account</i> section of the Company Form (MU1) can be left blank.</p>	<p>N/A</p>

<input type="checkbox"/>	<p>Electronic Surety Bond: Electronic Surety Bond via NMLS in the amount as shown in chart the below furnished and submitted by a surety company authorized to conduct business in Nebraska.</p> <p>See the ESB Adoption Table and the ESB for NMLS Licensees page of the NMLS Recourse Center for more information.</p> <p>Note: Surety bonds submitted via the <i>Document Uploads</i> section will not satisfy this requirement.</p> <p>Surety Bond Requirements Table</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="text-align: center;"><i>Amount</i></th> <th style="text-align: center;"><i>Bond Amount</i></th> </tr> </thead> <tbody> <tr> <td>0-4 Solicitors</td> <td style="text-align: center;">\$5,000</td> </tr> <tr> <td>5-15 Solicitors</td> <td style="text-align: center;">\$10,000</td> </tr> <tr> <td>16+ Solicitors</td> <td style="text-align: center;">\$15,000</td> </tr> </tbody> </table>	<i>Amount</i>	<i>Bond Amount</i>	0-4 Solicitors	\$5,000	5-15 Solicitors	\$10,000	16+ Solicitors	\$15,000	Electronic Surety Bond in NMLS
<i>Amount</i>	<i>Bond Amount</i>									
0-4 Solicitors	\$5,000									
5-15 Solicitors	\$10,000									
16+ Solicitors	\$15,000									

REQUIREMENTS/DOCUMENTS UPLOADED IN NMLS		
Complete	NE-SOS Collection Agency License	Submitted via...
<input type="checkbox"/>	<p>Business Plan: Upload a business plan outlining the following information:</p> <ul style="list-style-type: none"> Marketing strategies Products Target markets Fee schedule Operating structure the licensee intends to employ. Business history Type of collection business engaged in <p>This document should be named <i>[Company Legal Name] Business Plan</i>.</p> <p>Note: If the existing uploaded business plan already includes the above information, an additional document does not need to be uploaded. A company should only upload a single business plan. If state-specific material is required, this information should be added to the existing uploaded business plan.</p>	<p>Upload in NMLS: under the Document Type <u>Business Plan</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p>
<input type="checkbox"/>	<p>Certificate of Authority/Good Standing Certificate: Upload a State-issued and approved document (typically by the Secretary of State’s office), dated not more than 60 days prior to the filing of the application through NMLS that demonstrates authorization to do business in the applicant’s state of formation and/or NE.</p> <p>This document should be named <i>[[State prefix] Certificate of Authority OR [State prefix] Certificate of Good Standing]</i>.</p>	<p>Upload in NMLS: under the Document Type <u>Certificate of Authority/Good Standing Certificate</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p>

<input type="checkbox"/>	<p>Formation Documents: Determine classification of applicant’s legal status and submit a State certified copy of the requested applicable documentation detailed below. Original formation documents and all subsequent amendments, thereto including a list of any name changes.</p> <p>Sole Proprietor</p> <ul style="list-style-type: none"> • Three Letters of Personal Reference <p>Unincorporated Association:</p> <ul style="list-style-type: none"> • By-Laws or constitution (including all amendments). <p>General Partnership:</p> <ul style="list-style-type: none"> • Partnership Agreement (including all amendments). <p>Limited Liability Partnership:</p> <ul style="list-style-type: none"> • Certificate of Limited Liability Partnership; and • Partnership Agreement (including all amendments). <p>Limited Partnership:</p> <ul style="list-style-type: none"> • Certificate of Limited Partnership; and • Partnership Agreement (including all amendments). <p>Limited Liability Limited Partnership:</p> <ul style="list-style-type: none"> • Certificate of Limited Liability Limited Partnership; and • Partnership Agreement (including all amendments). <p>Limited Liability Company (“LLC”):</p> <ul style="list-style-type: none"> • Articles of Organization (including all amendments); • Operating Agreement (including all amendments); • IRS Form 2553 or IRS Form 8832 if S-corp treatment elected; and • LLC resolution if authority not in operating agreement. <p>Corporation:</p> <ul style="list-style-type: none"> • Articles of Incorporation (including all amendments); • By-laws (including all amendments), if applicable; • Shareholder Agreement (including all amendments), if applicable; • IRS Form 2553 if S-corp treatment elected; and • Corporate resolution if authority to complete application not in By-Laws or Shareholder Agreement, as amended, as applicable. <p>Not for Profit Corporation</p> <ul style="list-style-type: none"> • Documents requested of a Corporation; and • Proof of nonprofit status <ul style="list-style-type: none"> ○ Internal Revenue Service (“IRS”) 501(c)(3) designation letter; or ○ statement from a State taxing body or the State attorney general certifying that: (i) the entity is a nonprofit organization operating within the State; and (ii) no part of the entity’s net earnings may lawfully benefit any private shareholder or individual; or ○ entity's certificate of incorporation or similar document if it clearly establishes the nonprofit status of the applicant; or ○ Any of the three preceding items described, if that item applies to a State or national parent organization, together with a statement by the State or parent organization that the applicant is a local nonprofit affiliate. <p>Trust (Statutory)</p> <ul style="list-style-type: none"> • Certificate of Trust; and • Governing instrument (all amendments). 	<p>Upload in NMLS: under the Document Type <u>Formation Document</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p> <p>This document should be named <i>Formation Documentation [Date of Creation (MM-DD-YYYY)]</i>.</p>
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<input type="checkbox"/>	<p>Management Chart: Submit a Management chart displaying the applicant’s directors, officers, and managers (individual name and title). Must also identify compliance reporting and internal audit structure.</p> <ul style="list-style-type: none"> • Officers • Individuals having a right to participate in the management of the Applicant <p>This document should be named <i>[Company Legal Name] Management Chart</i>.</p> <p>Note: If the existing uploaded management chart already includes the above information, an additional document does not need to be uploaded. A company should only upload a single management chart.</p>	<p>Upload in NMLS: under the Document Type <u>Management Chart</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p>
<input type="checkbox"/>	<p>Organizational Chart/Description: Submit a chart showing (or a description which includes) the percentage of ownership of:</p> <ul style="list-style-type: none"> • Direct Owners (total direct ownership percentage must equate to 100%) • Indirect Owners • Subsidiaries and Affiliates of the applicant/licensee <p>This document should be named <i>[Company Legal Name] Organizational Chart – Description</i>.</p> <p>Note: If the existing uploaded Organizational Chart/Description already includes the above information, an additional document does not need to be uploaded. A company should only upload a single management chart.</p>	<p>Upload in NMLS: under the Document Type <u>Organizational Chart/Description</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p>
<input type="checkbox"/>	<p>Customer List Upload: Out of State applicants already doing business outside Nebraska must provide a list of ten customers using the below form for reference purposes.</p> <p><u>If you are an out-of-state applicant, this is a requirement. Failure to provide this will result in delay processing your application.</u></p> <p>Customer List Form</p>	<p>Upload in NMLS: under the Document Type <u>Additional Requirements</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p>
<input type="checkbox"/>	<p>Solicitor List: Alphabetical list of all solicitors/collectors for Applicant, including name, any alias used by solicitor/collector, and date of hire.</p> <p>Optional Form for Solicitor List</p>	<p>Upload in NMLS: under the Document Type <u>Additional Requirements</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p>
<p>INDIVIDUAL (MU2) DOCUMENTS UPLOADED IN NMLS</p>		

<input type="checkbox"/>	<p>Verification of Experience:</p> <p>Officer Integratory</p> <p>For each officer and individual having a right to participate in the management of the company, provide a license specific resume with detailed job descriptions and/or duties performed evidencing experience in the industry the company is applying for a license. Please complete this form:</p> <p>This document should be named <i>[Document Type] – License Name</i>.</p>	<p>Upload in NMLS: under the Document Type Verification of Experience in the Document Uploads section of the Individual Form (MU2).</p>
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REQUIREMENTS SUBMITTED OUTSIDE OF NMLS		
Complete	NE-SOS Collection Agency License	Submitted via...
No items are required to be submitted outside of NMLS for this license/registration at this time.		