



VT Commercial Lender License New Application Checklist (Company)

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GENERAL INFORMATION

Who Is Required to Have This License?

Any company or person who engages solely in the business of making commercial loans of money, credit, goods, or things in action and charges, contracts for or receives on any such loan interest, a finance charge, discount, or consideration, therefore. Commercial loans do not include a loan or extension of credit secured in whole or in part by an owner occupied by a one-to-four-unit dwelling.

Any person who solicits or makes commercial loans by mail, telephone or electronic means to a Vermont resident, notwithstanding where the loan is legally made. No person may engage in the business of soliciting or making commercial loans by mail, telephone or electronic means to Vermont unless duly licensed.

Each branch location desiring to conduct business under this license authority must be separately licensed and must submit a Branch Form (MU3) application through NMLS to obtain such license.

See [8 V.S.A. Chapter 72, General Provisions](#) and [8 V.S.A. Chapter 73, Licensed Lenders Act](#), for more information.

Vermont Department of Financial Regulation does not issue an electronic license or a paper license for this license type. Approval in NMLS serves as the official record.

Activities Authorized Under This License

This license authorizes the following activities as defined by NMLS on the [Business Activities Definitions](#) chart...

- Lead generation
- Commercial mortgage brokering or lending
- Industrial loan lending companies

Pre-Requisites for License Applications

- Vermont Secretary of State Registration
- The applicant, and each officer, director, and control person of the applicant, has never had a lender license, mortgage broker license, mortgage loan originator license, or similar license revoked in any governmental jurisdiction, except that a subsequent formal vacation of such revocation shall not be deemed a revocation.
- The applicant, and each officer, director, and control person of the applicant, has not been convicted of or pled guilty or nolo contendere to a felony in a domestic, foreign, or military court.

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. Unless the document is state-specific, 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, 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 *Vermont Department of Financial Regulation* licensing staff by phone at (802) 828-3307 or send your questions via email to dfc.licensing@vermont.gov for additional assistance.

For U.S. Postal Service:

*Vermont Department of Financial Regulation
Banking Division
89 Main Street
Montpelier, VT 05620-3101*

For Overnight Delivery:

*Vermont Department of Financial Regulation
Banking Division
89 Main Street, 2nd Floor
Montpelier, VT 05602*

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	VT Commercial Lender License	Submitted via...
<input type="checkbox"/>	VT License/Registration Fee: \$500 VT Application Fee: \$500 NMLS Initial Processing Fee: \$100	NMLS (Filing submission)
<input type="checkbox"/>	FBI Criminal Background Check for MU2 Individual: \$36.25 per person.	NMLS (Filing submission)

REQUIREMENTS COMPLETED IN NMLS

Complete	VT Commercial Lender License	Submitted via...
<input type="checkbox"/>	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.	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) and a separate license type (i.e. VT Commercial Lender License – Other Trade Name #) is required.</p> <p>Vermont licensees are permitted to use only one other trade name for each license obtained. Therefore, please be advised that applicants must hold a separate VT Commercial Lender License - Other Trade Name license for each other trade name listed in the <i>Other Trade Names</i> section of the Company Form (MU1). Vermont Department of Financial Regulation does not allow more than six (6) other trade names for VT Commercial Lender Licensees.</p> <p>The Other Trade Name [#] license type should be consistent for all other locations using the same “Trade Name”, “Assumed Name” or “DBA.” For example, if Vermont Commercial Lender License - Other Trade Name #1 is used to obtain a license using the Trade Name “ABC Entity”, then all future license requests for use of the Trade Name “ABC Entity” should use Other Trade Name #1 license types.</p>	NMLS
<input type="checkbox"/>	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 the Vermont Secretary of State.	NMLS

<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 - Enter the person the Department should contact for questions regarding the application and licensing issues. 2. Primary Consumer Complaint Contact - Enter person the Department should contact to process a consumer complaint. 	<p>NMLS</p>
<input type="checkbox"/>	<p>Non-Primary Contact Employees: Vermont Department of Financial Regulation requires that an individual(s) be identified as a Non-Primary Contact for the following areas. These contacts must be listed in the <i>Contact Employees</i> section of the Company Form (MU1).</p> <ol style="list-style-type: none"> 1. Exam Delivery 2. Pre-Exam Contact 	<p>NMLS</p>
<input type="checkbox"/>	<p>Books and Records: Be sure to add Vermont to the Jurisdiction Section for <i>Books & Records</i> section of the Company Form (MU1).</p>	<p>NMLS</p>
<input type="checkbox"/>	<p>Bank Account: Bank account information must be completed for the company's Letter/Line(s) of Credit, Operating, and/or Trust Primary accounts in the <i>Bank Account</i> section of the Company Form (MU1).</p>	<p>NMLS</p>
<input type="checkbox"/>	<p>Disclosure Questions: Provide a complete and detailed explanation and document upload for each "Yes" response to Disclosure Questions made by the company or related control persons (MU2).</p> <p>See the Company Disclosure Explanations Quick Guide for instructions.</p>	<p>Upload in NMLS: in the <i>Disclosure Explanations</i> section of the Company Form (MU1) or Individual Form (MU2).</p>
<input type="checkbox"/>	<p>Direct Owner/Executive Officers: The individual(s) and persons below must be listed in the <i>Direct Owner/Executive Officers</i> section of Company Form (MU1).</p> <ul style="list-style-type: none"> • All persons who, directly or indirectly, have the right to vote 10% or more of a class of voting security or power to sell or direct the sale thereof. • Members of the applicant's governing body, including Board of Directors. • Executive Officers – must include at a minimum all individuals who perform, regardless of title, the functions of chief executive officer (CEO), chief financial officer (CFO), chief operations officer (COO), chief compliance officer (CCO), chief information/technology officer (CIT), bank secrecy act officer (BSA), and other similar positions. An applicant that fails to provide individuals with the aforementioned designations will be deemed incomplete. <p>Note: The applicant's name as it appears on the Company Form (MU1) must be entered in either the Employment History section or Other Business section of each individual's MU2 to reflect the individual's role with the applicant.</p>	<p>NMLS</p>

<input type="checkbox"/>	<p>Indirect Owner: The person(s) below must be listed in the <i>Indirect Officers</i> section of Company Form (MU1).</p> <ul style="list-style-type: none"> • Corporation - each of the shareholders that beneficially owns, has the right to vote, or has the power to sell or direct the sale of, 25% or more of a class of voting security of that corporation. • Limited Liability Corporation – all elected or appointed managers, if managed by elected or appointed managers, and all members that have the right to receive upon dissolution, or have contributed, 25% or more of the LLC’s capital. • Partnership - all general partners and those limited and special partners that have the right to receive upon dissolution, or have contributed, 25% or more of the partnership’s capital. • Trust - the trust and each trustee. <p>Continue up the chain of ownership listing all 25% or more owners at each level of ownership. Only once a public reporting company, a credit union, a bank or a bank holding company regulated by a Federal Banking or Credit Union Regulator, or a natural person is reached, no ownership information further up the chain of ownership need be given.</p>	<p>NMLS</p>
<input type="checkbox"/>	<p>Qualifying Individual: An on-site manager is required for the main corporate location. This individual must be listed in the <i>Qualifying Individual</i> section of Company Form (MU1).</p> <p>Note: The applicant’s name as it appears on the Company Form (MU1) must be entered in either the Employment History section or Other Business section of the individual’s MU2, and the business address must match the applicant’s company address on the Company Form (MU1). The Qualifying Individual must provide a criminal background check and credit report.</p>	<p>NMLS</p>
<input type="checkbox"/>	<p>MU2 Attestation: Complete the Individual Form (MU2) in NMLS. This form must be attested to by each person before it is able to be submitted along with the Company Form (MU1).</p>	<p>NMLS</p>
<input type="checkbox"/>	<p>MU2 Individual FBI Criminal Background Check Requirements: The following Individuals, as specified below, on the Company Form (MU1) are required to authorize an FBI criminal background check (CBC) through NMLS.</p> <p><i>Direct Owners:</i> Natural persons who, directly or indirectly, own 10% or more of the applicant.</p> <p><i>Executive Officers:</i> Executive Officers (CEO, President, CFO, COO, CIO/CTO, CCO) or those serving similar functions, and any others required by the commissioner.</p> <p><i>Indirect Owners:</i> Natural persons who own 25% or more of a direct or indirect owner.</p> <p><i>Qualifying Individuals:</i> All Qualifying Individuals unless licensed as a Vermont mortgage loan originator.</p> <p>After authorizing of an FBI criminal background check through the submission</p>	<p>NMLS</p>

	<p>of the Company Form (MU1) and Individual Form (MU2), you must schedule an appointment to be fingerprinted if new prints are required. See the Quick Guides - Company section of the NMLS Resource Center for more information.</p> <p>Note: The Individual must grant Vermont authorization to view the CBC results at the time the CBC is requested. Vermont cannot view CBC results that are generated BEFORE Vermont has been granted access. If results are generated before Vermont is granted access, Vermont cannot view the results and the MU2 individual will be required to request and pay for another CBC.</p>	
Note	Surety Bond: Vermont does not require a surety bond for a commercial lender license.	N/A

REQUIREMENTS/DOCUMENTS UPLOADED IN NMLS		
Complete	VT Commercial Lender License	Submitted via...
<input type="checkbox"/>	<p>Additional Requirements: Upload the following documents specific for Vermont.</p> <ul style="list-style-type: none"> Vermont Activity Affidavit: Upload an affidavit, signed and dated by an officer of the firm on official letterhead, indicating whether or not business has been conducted with any Vermont clients. If the applicant has transacted business with Vermont clients, provide directly todfr.licensing@vermont.gov a list of accounts including client(s) name, address, telephone number, and the amount(s) involved, as well as any fees earned by the firm. <p>This document should be named <i>Vermont Activity</i> for Vermont.</p>	<p>Upload in NMLS: under <u>Additional Requirements</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p>
<input type="checkbox"/>	<p>Business Plan: Upload a business plan outlining the following information:</p> <ul style="list-style-type: none"> Marketing strategies Products & services Target markets Fee schedule Operating structure the applicant intends to employ. <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 uploaded separately, and the state identified in the comment section.</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 approved document issued by the Vermont Secretary of State's office, dated not more than 60 days prior to the filing of the application through NMLS that</p>	<p>Upload in NMLS: under the Document Type <u>Certificate of</u></p>

	<p>demonstrates authorization to do business in the State of Vermont.</p> <p>This document should be named <i>[VT Certificate of Authority]</i>.</p>	<p><u>Authority/Good Standing Certificate</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p>
<input type="checkbox"/>	<p>Company Staffing and Internal Policies: Upload document including state-required information on staffing and internal organizational policies and procedures. The document must include the following information:</p> <ul style="list-style-type: none"> Financial Privacy Policy <p>This document should be named <i>[Name of Policy]</i>.</p> <p>Note: If submitting multiple staffing and internal policies, combine them into a single document for upload. Do not include the AML/BSA Policy, which is a separate document and should be uploaded under the Document Type <u>AML/BSA Policy</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p>	<p>Upload in NMLS: under the Document Type <u>Company Staffing and Internal Policies</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p>
<input type="checkbox"/>	<p>Document Samples: Upload copies of the following sample documents used in the regular course of business in connection with this license:</p> <ul style="list-style-type: none"> Gramm-Leach-Bliley Privacy Notice <p>Each document should be named <i>[Name of Document Sample]</i>.</p>	<p>Upload in NMLS: under <u>Document Samples</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. Be sure to include the original formation documents and all subsequent amendments, thereto including a list of any name changes.</p> <p>This document should be named <i>Formation Documentation [Date of Creation (MM-DD-YYYY)]</i>.</p> <p>Sole Proprietor</p> <ul style="list-style-type: none"> Business registration if available. <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 	<p>Upload in NMLS: under <u>Formation Document</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p>

	<ul style="list-style-type: none"> • 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). 	
<input type="checkbox"/>	<p>Management Chart: Submit a Management chart displaying the applicant’s directors, officers, and managers (individual name and title). The chart must identify the individuals responsible for compliance reporting and internal audit.</p> <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 <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 all natural persons or entities that have a 10% or greater, direct or indirect, ownership interest:</p> <ul style="list-style-type: none"> • Direct Owners • 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</p>	<p>Upload in NMLS: under <u>Organizational Chart/Description</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p>

	uploaded. A company should only upload a single organizational chart.	
<input type="checkbox"/>	<p>Other Trade Name: If operating under an “Other Trade Name”, upload the Vermont Secretary of State Certificate of Trade Name Registration regarding ability to do business under that trade name.</p> <p>This document should be named VT Commercial Lender License - Trade Name/ Assumed Name.</p> <p>Note: Operating under an “Other Trade Name” in Vermont requires a separate license.</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>Trust Account Authorization: Submit authorization allowing examination of trust accounts used for the purpose of holding funds belonging to others. May require multiple documents when more than one account exists. Upload each account authorization separately.</p> <p>This document should be named <i>[License Type]; [Indicate State]; [last 5 digits of account number]</i>.</p>	<p>Upload in NMLS: under <u>Trust Account Authorization</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p>

INDIVIDUAL FORM (MU2) DOCUMENTS UPLOADED IN NMLS

Complete	VT Commercial Lender License	Submitted via...
<input type="checkbox"/>	<p>Disclosure Explanations: <i>If applicable</i>, provide an explanation and supporting document for each “Yes” response to Disclosure Questions in the Individual Form (MU2). See the Individual Disclosure Explanations Quick Guide and the Disclosure Explanations - Document Upload Quick Guide for instructions.</p>	<p>Upload in NMLS in the <i>Disclosure Explanations</i> section of the Individual Form (MU2).</p>
<input type="checkbox"/>	<p>Legal Name/Status Documentation: Upload legal documentation of legal name or legal status. This may be certified copies of divorce decree, marriage certificate, copy of driver’s license, passports, birth certificate, etc.</p> <p>This document should be named [Document Name] (Ex. Driver’s License, Marriage Certificate, etc.).</p>	<p>Upload in NMLS: under the Document Type <u>Legal Name/Status Documentation</u> in the <i>Document Uploads</i> section of the Individual Form (MU2).</p>

NMLS ID Number	
Applicant Legal Name	

REQUIREMENTS SUBMITTED OUTSIDE OF NMLS

Complete	VT Commercial Lender License	Submitted via...
<input type="checkbox"/>	<p>MU2 Individual Criminal Background Check Requirements: Any natural person who is required to submit an FBI Criminal Background Check and <u>does not or has not resided in the US for at least the last 10 consecutive years</u>, must provide an investigative background report prepared by an independent third-party search firm and submitted directly to the Department.</p> <p>At a minimum, the report must contain the following:</p> <ul style="list-style-type: none"> Criminal records for the past 7 years, including felonies, misdemeanors and violations including a search of court data in the countries, states, towns, where the individual resided and worked and in contiguous areas. <p>Note: If the report is issued in a language other than English, please attach a translation.</p>	<p>Email to VT: dfr.licensing@vermont.gov</p>

Note: Only print *REQUIREMENTS SUBMITTED OUTSIDE OF NMLS* page for the submission of the documents lists. There is no need to print out and send *all* pages of this checklist. All documents must have the applicant’s NMLS ID#.