



Company Amendments Agency Requirements



WEST VIRGINIA MONEY TRANSMITTER LICENSE

Instructions

Surety Bonds

Effective September 1, 2021, the Division of Financial Institutions will transition to the Electronic Surety Bond process in NMLS. Amendments requiring surety bond riders will be accepted in paper format through the transition deadline of December 31, 2022; however, an earlier transition may be desirable to expedite acceptance of changes to the surety bond. Any surety bond riders submitted in paper format remain subject to comprehensive review by the West Virginia Attorney General and all documents must bear the appropriate original signatures, seals and notarizations.

Fees

1. The West Virginia Division of Financial Institutions collects amendment fees for the following changes through NMLS during filing:
 - Change of Address \$100 per license
 - FBI Criminal Background Check Authorization Fee: \$36.25 per control person.
2. Send detailed documentation relating to any change in control to the Division of Financial Institutions and a determination will be made as to whether the change in ownership is significant enough to require an amended application to be submitted outside the system. If an amended application is required outside the system, a determination as to the fee will be provided at that time.
3. All fees collected through NMLS ARE NOT REFUNDABLE.

**A criminal background investigation is required of all individuals identified as principals of the applicant. However, if the applicant is (1) a wholly owned subsidiary, direct or indirect, of a company supervised and regulated by the Securities and Exchange Commission whose stock is publicly traded on a registered exchange within the United States or (2) a wholly owned subsidiary, direct or indirect, of an entity subject to supervision and regulation by a federal banking regulator, the credit check and background investigation are not required.*

Principal - means the chief executive officer, regardless of title, managing partner if a partnership, members of the organizing group if no chief executive officer has yet been appointed or other person controlling the day to day operation of the applicant. A person controlling ten percent or more of the stock of any corporate applicant shall be considered to be a principal under this provision.

How to submit Agency specific documents

1. If you are required to upload documents for an amendment that doesn't require Advance Change Notice:
 - a. In the NMLS document upload section, select the applicable document type.
2. If you are required to provide document(s) outside of NMLS:

- a. You must mail the document(s) along with the checklist within 5 business days to the following address:

*For U.S. Postal Service or Overnight Delivery:
West Virginia Division of Financial Institutions
900 Pennsylvania Avenue, Suite 306
Charleston, WV 25302-3542*

NMLS Unique ID Number: _____

Applicant Legal Name: _____

FILED IN NMLS	ATTACHED	NOT APPLICABLE	REQUIRED AMENDMENT ITEM
<input type="checkbox"/>	N/A	<input type="checkbox"/>	CHANGE OF LEGAL NAME. Submit an amendment for a Change of Legal Name through the Company (MU1) form through NMLS.
<input type="checkbox"/>	N/A	<input type="checkbox"/>	DOCUMENTATION REQUIRED FOR CHANGE OF LEGAL NAME: Upload copies of the following documents: <ul style="list-style-type: none"> • Certificate of Authorization or other approval from the West Virginia Secretary of State • Surety Bond Rider reflecting the changed name
<input type="checkbox"/>	N/A	<input type="checkbox"/>	CHANGE OF MAIN ADDRESS. Submit an amendment for a Change of Main (Corporate) Address through the Company (MU1) form through NMLS. Note: a surety bond rider may be required if the bond reflects the company's main address.
<input type="checkbox"/>	N/A	<input type="checkbox"/>	ADDITION, MODIFICATION OR DELETION OF OTHER TRADE NAMES. Submit an amendment for an Addition, Change or Deletion of an Other Trade Name(s) through the Company (MU1) form through NMLS.
<input type="checkbox"/>	N/A	<input type="checkbox"/>	DOCUMENTATION REQUIRED FOR ADDITION, MODIFICATION OR DELETION OF OTHER TRADE NAME(S): Upload copies of the following documents: <ul style="list-style-type: none"> • Certificate of Authorization or other approval from the West Virginia Secretary of State. • Surety Bond Rider reflecting the change in trade names
<input type="checkbox"/>	N/A	<input type="checkbox"/>	CHANGE OF LEGAL STATUS. Submit an amendment for a change of Legal Status within the Company (MU1) Form through NMLS.
<input type="checkbox"/>	N/A	<input type="checkbox"/>	DOCUMENTATION REQUIRED FOR CHANGE OF LEGAL STATUS: Upload copies of the following documents: <ul style="list-style-type: none"> • Certificate of Authorization or other approval from the West Virginia Secretary of State. • Surety Bond Rider reflecting the change in legal status.

<input type="checkbox"/>	N/A	<input type="checkbox"/>	ADDITION OR MODIFICATION OF AFFILIATES/SUBSIDIARIES. Submit an amendment for an addition or change in Affiliates/Subsidiaries within the Company (MU1) Form through NMLS.
<input type="checkbox"/>	N/A	<input type="checkbox"/>	DOCUMENTATION REQUIRED FOR ADDITION OR MODIFICATION OF AFFILIATES/SUBSIDIARIES Upload copies of the following documents: <ul style="list-style-type: none"> Detailed description of the change to Affiliates/Subsidiaries
<input type="checkbox"/>	N/A	<input type="checkbox"/>	ADDITION OR MODIFICATION OF DIRECT OWNERS/EXECUTIVE OFFICERS. Submit an amendment for an addition or change in Direct Owners/Executive Officers within the Company (MU1) Form through NMLS. Note: Control Persons must also be reported on the Individual (MU2) Form.
<input type="checkbox"/>	N/A	<input type="checkbox"/>	<p>MU2 Individual FBI Criminal Background Check Requirements: When added to the Company Form (MU1), the following Individuals, as specified below, are required to authorize a FBI criminal background check (CBC) through NMLS. \$36.26 FBI Criminal Background Check fee will be charged per FBI CBC authorization.</p> <p><i>Direct Owners</i></p> <ul style="list-style-type: none"> Individuals who own 10% or more of the applicant. <p><i>Executive Officers</i></p> <ul style="list-style-type: none"> President, chief executive officer, regardless of title, managing partner if a partnership, or other person controlling the conduct of the affairs of an applicant. <p><i>Indirect Owners</i></p> <ul style="list-style-type: none"> Individuals holding 10% or greater beneficial ownership in the applicant. If ultimately held by other than a natural person, contact the Division of Financial Institutions for further information. <p>After authorizing a FBI criminal background check through the submission of the Company Form (MU1) and Individual Form (MU2), you must schedule an appointment to be fingerprinted if new prints are required.</p> <p>See the Quick Guides - Company section of the NMLS Resource Center for more information.</p> <p>Note: If you are able to 'Use Existing Prints' to process the FBI criminal background check, you DO NOT have to schedule an appointment. NMLS will automatically submit the fingerprints on file.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>DOCUMENTATION REQUIRED FOR ADDITION OR MODIFICATION OF DIRECT OWNERS/EXECUTIVE OFFICERS:</p> <p>Upload copies of the following documents, subject to requirements for Principals as provided in the instructions:</p> <ul style="list-style-type: none"> Detailed description of the change <p>Authorize the WV DFI to access criminal background and credit reports within NMLS</p> <p>Submit the following documents directly to WV DFI <u>only</u> for criminal and</p>

			<p>credit investigations relating to individuals <u>not</u> entered into NMLS and upon prior approval of the WV DFI:</p> <ul style="list-style-type: none"> • Release Form – For criminal and credit investigations. Must be provided for each individual submitting fingerprint cards or authorizing a credit report outside NMLS. If fingerprints are required to be submitted outside NMLS, the fee payable to WV DFI is \$60.00 <p>Click here to access the form.</p>
<input type="checkbox"/>	N/A	<input type="checkbox"/>	<p>ADDITION OR MODIFICATION OF INDIRECT OWNERS. Submit an amendment for an addition or change in Indirect Owners within the Company (MU1) Form through NMLS. Note: Control Persons must also be reported on the Individual (MU2) Form.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>DOCUMENT REQUIRED FOR ADDITION OR MODIFICATION OF INDIRECT OWNERS:</p> <p>Upload copies of the following documents:</p> <ul style="list-style-type: none"> • Detailed description of the change. <p>Submit the following documents directly to WV DFI only for criminal and credit investigations relating to individuals not entered into NMLS and upon prior approval of the WV DFI:</p> <ul style="list-style-type: none"> • Release Form – For criminal and credit investigations. Must be provided for each individual submitting fingerprint cards or authorizing a credit report outside NMLS. If fingerprints are required to be submitted outside NMLS, the fee payable to WV DFI is \$60.00
<input type="checkbox"/>	N/A	N/A	<p>ORGANIZATIONAL CHART/DESCRIPTION: Any change in direct or indirect ownership requires an updated organizational chart to be placed in Document Uploads in NMLS depicting 100% of direct and indirect ownership. Detailed information must be provided on Indirect Owners who hold 10% or more of beneficial ownership. Indirect owners of less than 10% beneficial interest may be grouped and footnoted.</p>
<input type="checkbox"/>	N/A	<input type="checkbox"/>	<p>DISCLOSURE QUESTIONS. Provide complete details of all events or proceedings for any “Yes” answer to any of the Disclosure questions for company or any new Control Person or any new Manager.</p>

WHO TO CONTACT – Contact West Virginia Division of Financial Institutions staff by phone at (304) 558-2294 or send your questions via e-mail to the following for additional assistance:

Stacy Wagner at swagner@wvdfi.org
Rob Young at ryoung@wvdfi.org

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