



pennsylvania
DEPARTMENT OF BANKING

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Application for Licensure Sales Finance Company

APPLICATION FOR LICENSURE AS A SALES FINANCE COMPANY

PART 1

The Pennsylvania Department of Banking welcomes your request for this sales finance company application. It is the Department's position that sales finance companies provide a needed and valuable service to consumers.

This portion of the application provides general information that will be of value to you when you complete the written portion of the application.

The Department issues sales finance company licenses under the provisions of the Motor Vehicle Sales Finance Act, which sets forth requirements both to become and to remain licensed. The Department is responsible for enforcing the Motor Vehicle Sales Finance Act.

It is imperative that you become familiar with the Motor Vehicle Sales Finance Act, a copy of which is included as Part 3 of this application. You may wish to consult with an attorney. The legal citation for the Motor Vehicle Sales Finance Act is 69 P.S. § 601 et seq.

License Required. A sales finance company license is required by any person or company who engages in the business of financing or soliciting the financing of installment sale contracts made between other parties, including but not thereby limiting the generality of the foregoing, the business of acquiring, investing in or lending money or credit on the security of such contracts or any interest therein, whether by discount, purchase or assignment thereof, or otherwise. The term "sales finance company" also includes any seller, whether or not licensed under the Act, who as a seller, finances installment sale contracts for other sellers or sales finance companies. Exemptions are granted to any person to the extent that said person makes bona fide commercial loans to sellers or sales finance companies and takes assignments of, or an interest in, an aggregation of installment sale contracts only as a security for such commercial loans under which, in the absence of default or other bona fide breach of the loan contract, ownership of such contracts remains vested in the assignor and collection of payments on such contracts is made by the assignor.

Under Section 8(b) of the Act, a license cannot be transferred or assigned.

Bond. A bond in the sum of five thousand dollars (\$5,000) must accompany each application. This bond must be furnished by a surety company legally authorized to transact business in Pennsylvania, and must be written to conform to the period of licensure. Furthermore, the bond must be renewed and re-filed with the Department of Banking, along with the submission of the license renewal, no later than September 15 of each year. The prescribed bond forms have been included as pages 13 through 16, or for a bank located in Pennsylvania, pages 17 through 19.

For additional information on the bonding requirement, please refer to Section 6 of the Motor Vehicle Sales Finance Act.

Records Required. A sales finance company is required to maintain records of the business of financing or soliciting the financing of installment sale contracts made between other parties, including but not thereby limiting the generality of the foregoing, the business of acquiring, investing in, or lending money or credit on the security of such contracts or any interest therein, whether by discount, purchase or assignment thereof, or otherwise.

Change of Address. A sales finance company licensee may change its place of business to another location within the same municipality for which the license was issued by providing prior written notice to the Department and returning the license certificate to the Department for amendment. A sales finance company licensee who relocates its official place of business to another location outside of the municipality for which the license was issued must apply for a new license certificate.

Contracts. Section 13 of the Act sets forth requirements for installment sale contracts. Installment sale contracts must be in writing and contain all of the agreements between the buyer and seller relating to the installment sale of the motor vehicle sold. Please refer to Section 14 for specific identification of the requirements for contract content.

Furthermore, the data identified in Section 14(B) must be shown on the installment sale contract **prior** to the buyer's signature being affixed. Under Section 13(C) of the Act, the seller must provide an exact copy of the installment sale contract to the buyer at the time the buyer signs the contract. The seller must also obtain written confirmation of the buyer's receipt of a copy of the installment sale contract, and if attached as part of the contract, it must be printed below the buyer's signature and be signed independently by the buyer.

Insurance. As provided for in Section 17, the purchaser of a motor vehicle under an installment sale contract may be required to carry insurance on the motor vehicle for the protection of the seller or subsequent holder of the installment sale contract against risk of damage, destruction, collision or theft. The buyer shall have the right of purchasing said insurance from an agent or broker of his/her own selection.

The buyer **may not be required** to carry or purchase any other insurance, aside from that which is identified above, in conjunction with the purchase of a motor vehicle under an installment sale contract. However, a seller may offer other forms of insurance to the buyer **only if the purchase of such insurance is wholly optional with the buyer** of the motor vehicle, and under the following conditions:

1. Such other insurance shall be security for the motor vehicle installment sale contract or by reason of such contact. Under Section 17(A), no insurance may be contracted for which has no relation to the motor vehicle installment sale contract. Additionally, no insurance may be contracted for which is not for the dual protection of the buyer and seller or sales finance company.
2. The buyer's purchase of any or all such insurance offered by the seller of the motor vehicle must be **entirely voluntary** in order to comply with the "liberty of contract" provision applicable to such other or additional insurance found in Section 17(A) of the Act. Coercion or high pressure selling of such other or additional insurance by the seller of the motor vehicle is prohibited.

3. The **amount of the premium** for **each type of insurance** shall be as a separate item in the installment sale contract. The premiums for two or more types of such other insurance coverage shall not be shown as an aggregate total or so-called "package" insurance premium in the installment sale contract.
4. The charge to the buyer for such other insurance shall not exceed the cost of the premium of such insurance to the seller or sales finance company.

Other costs included in the amount financed. As provided for in Section 18, the seller of a motor vehicle under an installment sale contract is authorized to collect certain other costs incurred in the sale of a motor vehicle, such as title registration and transfer fees, driver's license fees, prothonotary fees, notary fees, and messenger service charges. As required by Section 14(B)5, such charges **must be itemized** as to nature and amount in the installment sale contract. Furthermore, these costs **shall not be included in the cash selling price of the motor vehicle** and must be shown under *Item 5* of the installment sale contract.

The buyer may be **required to pay only the filing costs enumerated in Section 18(A)** of the Act, which are necessary for the protection of the seller or sales finance company. The payment of all **other costs must be contracted for voluntarily** by the buyer, and are restricted to costs incidental to the sale of a motor vehicle.

Examinations and Investigations. Examinations and special investigations are conducted as needed and often result from consumer complaints. **Prior to approving an application for an office located outside of the Commonwealth of Pennsylvania, the Department must receive written assurance that all expenses for an examination/investigation will be paid by the applicant.** Examinations and investigations are discussed in Section 11 of the Motor Vehicle Sales Finance Act.

Penalties; License suspension, revocation, or refusal to renew. The Department may assess fines of \$2000 per offense if a licensee violates any provision of the Motor Vehicle Sales Finance Act. The Department also has the authority to suspend, revoke, or refuse to renew a license for violation of any provision of the Motor Vehicle Sales Finance Act or any material misstatement made in the application(s) filed with the Department. For additional information on penalties, license suspension, revocation and refusal to renew, refer to Sections 10 and 37 of the Motor Vehicle Sales Finance Act.

Annual license fees; renewals. A licensing fee of \$500 for the official place of business must accompany the application for licensure. Checks or money orders should be made payable to the Pennsylvania Department of Banking. By law, there can be no abatements granted on licensing fees for licenses issued after the start of the October 1 licensing year. If a license is surrendered, revoked, or suspended prior to its expiration date, the license fee cannot be refunded in whole or in part.

Licenses must be renewed yearly by October 1. An annual renewal fee of \$350 must accompany the renewal application for each official place of business. Renewal applications will be sent to licensees no later than August 1. The annual renewal fee of \$350 will be due on or before September 15.

Please note that Section 7 of the Motor Vehicle Sales Finance Act, as it relates to the fee payments, has been repealed. Licensing fees are established by the Administrative Code of 1929, as amended 1990, July 1, P.L. 277, No. 67, 3, codified as 71 P.S. § 240.3(A).

Other provisions that apply; other laws that may apply. The preceding discussion does not represent a complete analysis of the Motor Vehicle Sales Finance Act. Rather, the areas discussed are based on the issues which surface most frequently. ***You are advised to read and review the Motor Vehicle Sales Finance Act in order to become familiar with all provisions.***

Information about corporate and business registration can be obtained by contacting the Corporation Bureau of the Pennsylvania Department of State, 3rd Floor, North Office Building, Harrisburg, Pennsylvania 17120-0029. The telephone number is (717) 787-1057 or visit their website at www.dos.state.pa.us.

An attorney should be able to advise you about federal laws that may apply to a sales finance company.

How and Where to file. Please complete Part 2 of this application, pages 5 through 14, and the appropriate Bond form, pages 15 through 18, or for a bank located in Pennsylvania, pages 19 through 21. Make a copy for your records. Mail the original and any required attachments, along with a check or money order in the proper amount, to the following address:

**Pennsylvania Department of Banking
Licensing Division
17 North 2nd Street, Suite 1300
Harrisburg, Pennsylvania 17101-2290**

Keep pages 1 through 4 for your records, as well as a copy of the Motor Vehicle Sales Finance Act, included as Part 3 of this application.

If you have any questions, please call the Licensing Division weekdays from 8:30 a.m. to 5:00 p.m. at (717) 787-3717, TT/Voice 1-800-679-5070 or visit our web site at www.banking.state.pa.us.

We look forward to processing your application.

SALES FINANCE COMPANY APPLICATION

Part 2

For Official Use Only
License No. _____

1. Please indicate name of business and how it is structured.

Name of corporation: _____

D/B/A [if applicable]: _____

Federal ID Number: _____

- **Attach Articles of Incorporation, if a foreign corporation, Certificate of Authority to do business in Pennsylvania, and, if applicable, a copy of the Fictitious Name Registration.**

If business is not a corporation:

How is business organized? _____

Name of entity: _____

D/B/A [if applicable]: _____

Federal ID Number If Partnership or Association: _____

- **Attach a copy of the Operating Agreement, By-laws, etc., and evidence of registry with the Pennsylvania Department of State, if required. If registry is not required, state reason below. Please provide legal opinion if claiming exemption.**

2. List the complete address where the sales finance business will be conducted.

OFFICIAL LOCATION (\$500 licensing fee must accompany application):

Street Address and Suite or Room Number _____ () Office Telephone _____

City _____ State _____ Zip Code _____ () FAX Phone Number _____

County _____ Office Manager _____

Mailing Address if Different [If Not Different, indicate N/A]

Company's e-mail address: _____

Company's web address: _____

**** (Web address must be registered with the Department of State if it is significantly different from the company name or not prominently displayed in the opening page.)**

List all types of business offered on your website: _____

Attach additional sheets if necessary.

Explain how sales finance company business will be conducted via the Internet: _____

Attach additional sheets if necessary.

3. Information about officers, directors, owners, and all designated office managers of entity.

A. If business is a corporation:

List full name, corporate title, date of birth, social security number, residence address, residence telephone number and cell phone number of each officer, director and office manager of the proposed licensed corporation.

If business is not a corporation:

List full name, official title in the business, date of birth, social security number, residence address, residence telephone number and cell phone number of each owner and office manager of the proposed licensed business.

Full Name	Title	Date of Birth	Soc. Sec. #	Home Address	Home and Cell Phone No.
					H: C:
					H: C:
					H: C:
					H: C:

◆ **NOTE: Attach additional sheets as needed.**

B. If any of the officers, directors, and/or owners of entity has been previously or is currently licensed by the Department:

List the individual's name, the type of license(s), license number, and the name, city and county of the licensed business(es) If none, please place check mark in designated location. Attach additional sheets if necessary.

_____ None

Name of Individual	Type of License & License No.	Name of Business and City and County of Location

4. Please complete all of the following information in order to identify which person the Department should contact to address licensing matters, compliance issues, consumer complaint issues and billing issues.

A. Licensing Contact: _____
Name and Title

_____ ()
Street Address and Suite or Room Number Office Telephone

_____ ()
City State Zip Code FAX Phone Number

B. Compliance/Violation Contact: _____
Name and Title

_____ ()
Street Address and Suite or Room Number Office Telephone

_____ ()
City State Zip Code FAX Phone Number

C. Consumer Complaint Contact: _____
Name and Title

_____ ()
Street Address and Suite or Room Number Office Telephone

_____ ()
City State Zip Code FAX Phone Number

*Complete this section only if you want invoices mailed to ONE central location rather than each licensed location.

D. Billing Contact: _____
Name and Title

_____ ()
Street Address and Suite or Room Number Office Telephone

_____ ()
City State Zip Code FAX Phone Number

5. Has any director, officer, owner, etc., identified in this application, manager, employee or agent of the applicant ever pleaded guilty, pleaded nolo contendere, or been found guilty by a judge or a jury for violation of the laws of the Commonwealth or elsewhere, excluding motor vehicle traffic laws?

_____ **Yes**

_____ **No**

If yes, explain in detail the circumstances:

Attach additional sheets if necessary.

6. Has any director, officer, owner, etc., identified in this application, manager, employee or agent of the applicant been a party to a financial service business whose application, license, or authorization has been refused, denied, suspended, or revoked in Pennsylvania or any other state?

_____ **Yes**

_____ **No**

If yes, explain in detail the circumstances:

Attach additional sheets if necessary.

7. Please answer the following questions by placing an X on the appropriate response line.

YES NO

- a.* ___ ___ Did you receive a copy of the Motor Vehicle Sales Finance Act as part of this application package?
- b.* ___ ___ Have you reviewed the Motor Vehicle Sales Finance Act? (Regardless of whether you review the Act, please be aware that as a licensed sales finance company, you shall be bound by all provisions of the Motor Vehicle Sales Finance Act applicable to a licensed sales finance company.)
- c.* ___ ___ Do you understand that the Motor Vehicle Sales Finance Act describes requirements related to conducting sales finance company business?
- d.* ___ ___ Do you understand that a licensee may be assessed a fine of \$2,000 for violating any provision of the Motor Vehicle Sales Finance Act?
- e.* ___ ___ Do you understand that a licensee may also be assessed a fine of \$2,000 for directing or consenting to a violation of the Motor Vehicle Sales Finance Act?
- f.* ___ ___ If you become licensed, will you convey the requirements of the Motor Vehicle Sales Finance Act to any person(s) who engage(s) in sales finance company business as your employee?
- g.* ___ ___ Do you understand that a sales finance company licensee must display its license conspicuously at each licensed place of business?
- h.* ___ ___ Do you understand that a sales finance company license may not be transferred or assigned?
- i.* ___ ___ Do you understand that, as a sales finance company licensee, you may conduct installment sales financing only with licensed installment sellers and sales finance companies and may assign delinquent accounts only to authorized collector-repossessors?
- j.* ___ ___ Do you understand that if you accept installment sale contracts from an unlicensed installment seller or sales finance company, you may be subject to the penalty provisions the Motor Vehicle Sales Finance Act, including fines and/or imprisonment?
- k.* ___ ___ Do you understand that a sales finance company licensee may not charge an interest rate on a motor vehicle sales finance contracts in excess of the maximum rates set forth in Section 19 of the Act?
- l.* ___ ___ Do you understand that the maximum documentary fee to be charged to a consumer for processing documents cannot exceed \$55?
- m.* ___ ___ Do you understand that all insurance products must be written for the dual protection of the buyer and seller?

- | | YES | NO | |
|-----------|-----|-----|---|
| <i>n.</i> | ___ | ___ | Do you understand that a buyer may not be charged for any single interest insurance, commonly referred to as Vendor's Single Insurance ("VSI")? |
| <i>o.</i> | ___ | ___ | Do you understand that a sales finance company's license expires each year on October 1 and must be renewed on or prior to September 15? |
| <i>p.</i> | ___ | ___ | Do you understand that original or duplicates of all records that pertain to your sales finance company business must be maintained at your official place of business, or at any office maintained by the licensee subject to the approval of the Secretary of Banking? |
| <i>q.</i> | ___ | ___ | Do you understand that a sales finance company licensee is subject to examination/investigation by the Department of Banking at any time, during regular business hours without prior notice, the Department deems such an examination/investigation necessary or desirable? |
| <i>r.</i> | ___ | ___ | Do you understand, that during an examination/investigation by the Department, the Department must be given unimpeded access to the licensee's place(s) of business and to all instruments, documents, accounts, books and records which pertain to the licensee's sales finance company business? |
| <i>s.</i> | ___ | ___ | Do you understand that the Department of Banking has the authority to make examinations/investigations as deemed necessary to administer the provisions of the Motor Vehicle Sales Finance Act? |
| <i>t.</i> | ___ | ___ | Do you understand that an examination/investigation can be initiated to resolve a consumer complaint? |
| <i>u.</i> | ___ | ___ | Do you understand that a sales finance company licensee may not conduct sales finance company business under any name other than that designated on its license? |
| <i>v.</i> | ___ | ___ | Do you understand that you are committing a violation of the Motor Vehicle Sales Finance Act, and may be assessed a fine of \$2,000 to \$5,000, per offense, if you conduct sales finance company business prior to licensure? |
| <i>w.</i> | ___ | ___ | Do you understand that the Department may suspend, revoke, or refuse to renew any sales finance company license if the licensee has 1) made any material misstatement in the application or 2) failed to comply with or violated any provision of the Motor Vehicle Sales Finance Act or any rule, regulation or order promulgated by the Department? |
| <i>x.</i> | ___ | ___ | Do you have any questions about the Motor Vehicle Sales Finance Act or the licensing process? [If yes, attach separate sheet with the question(s).] |

8. Assurance of reimbursement for examination/investigation expenses incurred by the Pennsylvania Department of Banking (For Foreign Entities Only):

Approval of an application for licensure made of a sales finance company office located outside of the Commonwealth of Pennsylvania is contingent upon the applicant's assurance that **all** expenses for an examination/investigation incurred by the Department of Banking will be reimbursed by the applicant. A signature by an/the owner/officer of the entity in the designated space below acknowledges your acceptance of all expenses incurred by the Department for any required examination/ investigation.

_____ (Date)

_____ (Name)

_____ (Title)

9. Designate Pennsylvania agent for service of process (For Foreign Corporations Only):

The applicant corporation, in pursuance of action taken at a regular meeting of the Board of Directors of said corporation does hereby appoint:

FULL NAME: _____

RESIDENCE ADDRESS: _____

POST OFFICE: _____

its true and lawful attorney and authorized agent upon whom all lawful process in any proceeding against it may be served and agrees that service of process on its attorney or agent herein named shall be of the same legal force and validity as if served upon it, the said corporation, and the authority for such service of process shall continue in force as long as any liability remains outstanding against it in the Commonwealth of Pennsylvania.

In the case of death, removal from the Commonwealth of Pennsylvania, or any legal disability or disqualification of its attorney or agent herein named, the said corporation does hereby appoint the Secretary of Banking of the Commonwealth of Pennsylvania, and successor in office, to be its true and lawful attorney and authorized agent upon whom all lawful process in any proceeding against it may be served and agrees that service of process on the Secretary of Banking shall be of the same legal force and validity as if served upon it, the said corporation, and the authority for such service of process shall continue in force as long as any liability remains outstanding against it in the Commonwealth of Pennsylvania.

10. Affidavit for Sole Proprietorship, Partnership, etc.:

State of:

County of:

The following individuals personally appeared before me:

who, being duly sworn according to law, depose and say that the statements contained in the above application are true and correct.

All owners, partners or managing partners are required by law to sign this application.

Sworn and subscribed before me this

_____ day of _____ A.D. 20_____

NOTARY SEAL

(Signature of Notary Public)

11. Affidavit for Corporation:

State of:

County of:

The following individuals personally appeared before me:

who, being duly sworn according to law, depose and say that the statements contained in the above application are true and correct and that this application is duly executed, and the seal of the corporation is affixed by the authority of the Board of Directors of the said Corporation.

CORPORATE SEAL

(Signature of Official)

(Signature of Official)

Sworn and subscribed before me this

_____ day of _____ A.D. 20_____

NOTARY SEAL

(Signature of Notary Public)

12. Please review before mailing this application.

Have you...

- Answered all questions or indicated N/A?
- Checked answers for accuracy?
- Signed the application?
- Had your signature(s) notarized?
- Attached the appropriate and completed Bond form?
- Attached a copy of the Articles of Incorporation and/or Certificate to do Business?
- Attached a copy of the Fictitious Name Registration, if applicable?
- Made and retained a copy of the entire application for your records?
- Enclosed a check for the appropriate amount?

13. Please mail completed original application to:

**Pennsylvania Department of Banking
Licensing Division
17 North Second Street, Suite 1300
Harrisburg, Pennsylvania 17101-2290**

Bond No. _____

BOND

TO SECURE A LICENSE AS A
SALES FINANCE COMPANY

Under the
Motor Vehicle Sales Finance Act
Approved June 28, 1947

KNOW ALL MEN BY THESE PRESENTS, That

(Name of Applicant as it Appears on the License Application)

in the conduct of its business at its _____ office
("Main" or "Branch")

located at _____
(Address of Office Covered by Bond)

hereinafter called the Principal, and _____,
(Name of Surety Company)

a Surety company, incorporated under the laws of the State of _____ and duly
licensed and authorized to execute bonds of suretyship in the Commonwealth of Pennsylvania, and

having its principal office and place for the transaction of business at _____

Pennsylvania, as Surety are held and firmly bound unto the Commonwealth of Pennsylvania, its
certain attorney, or assigns in the sum of **FIVE THOUSAND DOLLARS (\$5,000)** lawful money of the
United States, for the payment of which well and truly to be made, we hereby bind ourselves, and
each of us, our and each of our heirs, executors, administrators, successors and assigns, jointly and
severally, firmly by these presents.

WHEREAS, the above bounden Principal applied to the Secretary of Banking of the
Commonwealth of Pennsylvania for a license to engage in business in accordance with the
provisions of the Act of June 28, 1947, P.L. 1110, as amended, entitled the Motor Vehicle Sales
Finance Act, and

WHEREAS, the aforesaid Act of June 28, 1947, P.L. 1110, as amended, provides that a bond
in the form prescribed by the Administrator in the penal sum of **FIVE THOUSAND DOLLARS (\$5,000)**
shall accompany every application for license as a sales finance company and as a collector-
repossessor and such bond shall be filed for each place of business conducted by a sales finance
company and by a collector-repossessor within the Commonwealth of Pennsylvania.

NOW, THEREFORE, if the said application is approved, and the license granted, the Condition of this Obligation is such that the above Principal shall during the period beginning on the day of _____, 20_____, and ending on the _____ day of _____, 20_____, faithfully comply with all the provisions of the said Act of June 28, 1947, P.L. 1110, as amended, and all the rules and regulations of the Department of Banking lawfully issued pursuant thereto, and shall pay to the Commonwealth, to the Secretary of Banking, or to any person or persons any and all monies that may come due to the Commonwealth, to Secretary of Banking, or to any person or persons from the said Principal as Licensed by the Secretary of Banking or his authorized representatives, damages, costs, judgments, fines or penalties which may be imposed upon or recovered against the said Principal under said Act, or by reason of any violation of any of the provisions thereof, without fraud or delay,

PROVIDED, however, that this bond shall be for the use of the Commonwealth and for any person or persons who may have a cause of action against a sales finance or collector-repossessor licensee under this act, and

PROVIDED, however, that the condition of the bond shall be that the sales finance/collector-repossessor licensee will comply with and abide by all provisions of this act and all rules and regulations of the Secretary of Banking lawfully issued under this act, and will pay to the Commonwealth, to the Secretary of Banking, or to any person or persons any and all moneys that may come due to the Commonwealth, the Secretary of Banking, or to any person or persons from the said sales finance/collector-repossessor licensee under and by virtue of the provisions of this act, and

PROVIDED, however, that if any person shall be aggrieved by the misconduct of a sales finance/collector-repossessor licensee, and shall recover judgment against him therefor, such person may on any execution issued under such judgment maintain an action upon the bond of the sales finance/collector-repossessor licensee in any court having jurisdiction of the amount claimed, provided the Secretary of Banking assents thereto, and

PROVIDED, however, that this bond shall not be discharged by the recovery of any specific amount of charges for damages, costs, judgments, fines or penalties obtained in any specific action, but that the same shall be in full force and effect until the full amount of said bond, to wit, **FIVE THOUSAND DOLLARS (\$5,000)** shall have been paid by reason of any number of charges for damages, costs, judgments, fines or penalties in which the said Principal may have become subjected, and

PROVIDED, however, that no action shall be instituted hereon for any sums due hereunder, the right to which sums did not arise during the license year for which the license founded on the application which this bond accompanied was granted, and

PROVIDED, further, that in case of a right of recovery of any amount under this bond by the Commonwealth of Pennsylvania, its attorneys or assigns, the said Surety holds itself bound as principal for any and all debts arising hereunder up to the amount aforesaid, and agrees to answer for the same without regard to and independently of any action taken against the said Principal, and whether the said Principal be first pursued or not, and

PROVIDED, further, that the Surety may cancel this bond by giving thirty (30) days' notice in writing to the Secretary of Banking. Such cancellation shall be effective thirty (30) days after receipt by the Secretary of Banking or his representatives of the written notice but only as to acts committed by the Principal after the expiration of the said thirty (30) day period.

The said Principal and Surety do hereby authorize and empower any attorney of any court of record in Pennsylvania or elsewhere to appear for them, or either of them, and after one or more declarations filed to confess judgment against them in favor of the Commonwealth, to the extent permissible under Pennsylvania law to which its use of certain attorney or assigns, for the sum of money hereinbefore set forth, together which consists of suit and five per centum (5%) added as attorney fee, and they do further release all errors, and waive the right of exemption, and stay of execution, and authorize the levy and sale of any or all property of theirs without appraisal or inquisition, hereby voluntarily condemning the same and authorizing the prothonotary to enter said voluntary condemnation. A copy of this bond and warrant being filed in any action, it shall not be necessary to file the original as a warrant of attorney, any law or rule of court to the contrary notwithstanding.

Sealed with our seals and dated this _____ day of _____, in 20_____.

IN WITNESS WHEREOF on the day and year above written the said Principal has executed this instrument.

	(Fictitious Name of Partnership or Individual)
	_____ (Seal)
Affidavit of Partnership or Individual Applicant	(Signature of Partner or Individual Owner)
	_____ (Seal)
	(Signature of Partner)
	_____ (Seal)
	(Signature of Partner)
	_____ (Seal)
	(Signature of Partner)

IN WITNESS WHEREOF on the day and year above written the said Principal has executed this instrument and has caused its corporate seal to be affixed, and this instrument to be executed and attested by its proper officers for the purposes hereinbefore set forth.

	(Corporate Title of Principal)
Affidavit of Corporate Applicant	_____ (Seal)
	(Signature and Title of Officer)
Corporate Seal of Principal	_____ (Seal)
	(Signature and Title of Officer)
	_____ (Seal)
	(Signature and Title of Officer)

IN WITNESS WHEREOF on the day and year above written the said Surety has executed this instrument and has caused its corporate seal to be affixed, and this instrument to be executed and attested by its proper officers for the purposes hereinbefore set forth.

(Corporate Title of Surety)

Affidavit of
Surety

(Signature and Title of Officer or Agent) (Seal)

(Signature and Title Officer or Agent) (Seal)

NOTE: This bond must be accompanied by a power of attorney showing authority of the person or persons who have signed on behalf of the surety company.

BOND

TO SECURE A LICENSE
AS A SALES FINANCE COMPANY
(FOR A PENNSYLVANIA BANK)

Under the
Motor Vehicle Sales Finance Act
Approved June 28, 1947

KNOW ALL MEN BY THESE PRESENTS, That

(Name of Bank as it Appears on the License Application)

in the conduct of its business at its _____ office,
("Main" or "Branch")

located at _____
(Address of Office Covered by Bond)

hereinafter called the Principal, a banking institution incorporated under the laws of the Commonwealth of Pennsylvania incorporated under the laws of the United States and authorized to execute bonds of suretyship in the Commonwealth of Pennsylvania in its own behalf under the provisions of the Act of June 28, 1947, P.L. 1110, as amended, is held and firmly bound unto the Commonwealth of Pennsylvania, its certain attorney, or assigns in the sum of **FIVE THOUSAND DOLLARS (\$5,000)** lawful money of the United States, for the payment of which well and truly to be made, we hereby bind ourselves, and each of us, our and each of our heirs, executors, administrators, successors and assigns, jointly and severally firmly by these presents.

WHEREAS, the above bounden Principal applied to the Secretary of Banking of the Commonwealth of Pennsylvania for a license to engage in business in accordance with the provisions of the Act of June 28, 1947, P.L. 1110, as amended, entitled the Motor Vehicle Sales Finance Act, and

WHEREAS, the aforesaid Act of June 28, 1947, P.L. 1110, as amended, provides that a bond in the form prescribed by the Administrator in the penal sum of **FIVE THOUSAND DOLLARS (\$5,000)** shall accompany every application for license as a sales finance company and as a collector-repossessor and such bond shall be filed for each place of business conducted by a sales finance company and by a collector-repossessor within the Commonwealth of Pennsylvania.

NOW, THEREFORE, if the said application is approved, and the license granted, the Condition of this Obligation is such that the above Principal shall during the period beginning on the day of _____, 20____, and ending on the _____ day of _____, 20____, faithfully comply with all the provisions of the said Act of June 28, 1947, P.L. 1110, as amended, and all the rules and regulations of the Department of Banking lawfully issued pursuant thereto, and shall pay to the Commonwealth, to the Secretary of Banking, or to any person or persons any and all monies that may come due to the Commonwealth, to Secretary of Banking, or to any person or persons from the

said Principal as Licensed by the Secretary of Banking or his authorized representatives, damages, costs, judgments, fines or penalties which may be imposed upon or recovered against the said Principal under said Act, or by reason of any violation of any of the provisions thereof, without fraud or delay,

PROVIDED, however, that this bond shall be for the use of the Commonwealth and for any person or persons who may have a cause of action against a sales finance or collector-repossessor licensee under this act, and

PROVIDED, however, that the condition of the bond shall be that the sales finance/collector-repossessor licensee will comply with and abide by all provisions of this act and all rules and regulations of the Secretary of Banking lawfully issued under this act, and will pay to the Commonwealth, to the Secretary of Banking, or to any person or persons any and all moneys that may come due to the Commonwealth, the Secretary of Banking, or to any person or persons from the said sales finance/collector-repossessor licensee under and by virtue of the provisions of this act, and

PROVIDED, however, that if any person shall be aggrieved by the misconduct of a sales finance/collector-repossessor licensee, and shall recover judgment against him therefor, such person may on any execution issued under such judgment maintain an action upon the bond of the sales finance/collector-repossessor licensee in any court having jurisdiction of the amount claimed, provided the Secretary of Banking assents thereto, and

PROVIDED, however, that this bond shall not be discharged by the recovery of any specific amount of charges for damages, costs, judgments, fines or penalties obtained in any specific action, but that the same shall be in full force and effect until the full amount of said bond, to wit, **FIVE THOUSAND DOLLARS (\$5,000)** shall have been paid by reason of any number of charges for damages, costs, judgments, fines or penalties in which the said Principal may have become subjected, and

PROVIDED, however, that no action shall be instituted hereon for any sums due hereunder, the right to which sums did not arise during the license year for which the license founded on the application which this bond accompanied was granted, and

PROVIDED, further, that in case of a right of recovery of any amount under this bond by the Commonwealth of Pennsylvania, its attorneys or assigns, the said Surety holds itself bound as principal for any and all debts arising hereunder up to the amount aforesaid, and agrees to answer for the same without regard to and independently of any action taken against the said Principal, and whether the said Principal be first pursued or not, and

PROVIDED, further, that the Surety may cancel this bond by giving thirty (30) days' notice in writing to the Secretary of Banking. Such cancellation shall be effective thirty (30) days after receipt by the Secretary of Banking or his representatives of the written notice but only as to acts committed by the Principal after the expiration of the said thirty (30) day period.

The said Principal and Surety do hereby authorize and empower any attorney of any court of record in Pennsylvania or elsewhere to appear for them, or either of them, and after one or more declarations filed to confess judgment against them in favor of the Commonwealth, to the extent

permissible under Pennsylvania law to which its use of certain attorney or assigns, for the sum of money hereinbefore set forth, together which consists of suit and five per centum (5%) added as attorney fee, and they do further release all errors, and waive the right of exemption, and stay of execution, and authorize the levy and sale of any or all property of theirs without appraisalment or inquisition, hereby voluntarily condemning the same and authorizing the prothonotary to enter said voluntary condemnation. A copy of this bond and warrant being filed in any action, it shall not be necessary to file the original as a warrant of attorney, any law or rule of court to the contrary notwithstanding.

Sealed with our seals and dated this _____ day of _____, in 20_____.

IN WITNESS WHEREOF on the day and year above written the said Principal has executed this instrument and has caused its corporate seal to be affixed, and this instrument to be executed and attested by its proper officers for the purposes hereinbefore set forth.

(Corporate Title of Principal)

Affidavit of
Corporate Applicant

(Signature and Title of Officer) (Seal)

Corporate Seal
of Principal

(Signature and Title of Officer) (Seal)

(Signature and Title of Officer) (Seal)

NOTE: This bond must be accompanied by a power of attorney showing authority of the person or persons who have signed on behalf of the bank.



pennsylvania

DEPARTMENT OF BANKING
MARKET SQUARE PLAZA | 17 N SECOND STREET, 13TH FL | HARRISBURG, PA 17101
Ph 717.787.3717 Fx 717.787.8773 W www.banking.state.pa.us

The Pennsylvania Department of Banking (“the Department”) regulates the financial service industry in Pennsylvania and requires license applicant(s) to complete a Pennsylvania State Police criminal background history check and an FBI Fingerprint Check when applying for licensure.

Please review the following requirements and conditions for the Pennsylvania Check:

1. Each applicant or control person listed on the license application must complete an online criminal background history check using the Pennsylvania Access to Criminal History (PATCH) located at <https://epatch.state.pa.us>
2. Cost of the online criminal background history check is \$10.00 for each request and is payable through PATCH by credit card.
3. When completing the application, the “Personal Information” section of the PATCH application must contain identifying information for the Department to ensure the results of the criminal background history check are forwarded directly to this Department. **Results of the criminal background history check will not be accepted directly from the applicant and will only be accepted from PATCH.** Below is the information that **must** be entered in the **“Personal Information”** section of the PATCH application:

Reason for Request: Banking

First Name: PA Department of Banking

Last Name: Attn: Licensing Dept.

Address: Market Square Plaza, 17 N. Second Street, Harrisburg, PA 17101

Email Address: ra-asklicensing@state.pa.us

Phone Number: (717) 787-3717

Fax: (717) 787-8773

After completing the “Personal Information” section of the PATCH application, navigate to the “Record Check Request Form” section of the application and enter the information of the applicant or control person. Although not required by PATCH, **it is a requirement of the Department to provide your Social Security number in the “Record Check Request Form” section of the application.**

4. After making payment for the criminal background history check, you will be provided with a “Request Results” page which **must be** provided to the Department in order to verify the background history check was completed and to track the results of any “No Record” responses. **Print** the “Request Results” page and send it with the other state specific information. The “Request Results” page will contain your First and Last name as you typed them into the system, the date that you submitted the request and a control number.



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In addition to the Pennsylvania State Police criminal background history check, all applicants are also subject to a search of the national criminal history database via an **FBI Fingerprint Check**.

Please review the following requirements and conditions for the FBI Fingerprint Check:

Available to Pennsylvania residences and those working in close proximity to the Commonwealth of Pennsylvania:

- Use the Cogent live scan fingerprint system located at the following website: <https://www.pa.cogentid.com>
- Be sure to click on the link for the PA Department of Banking
- Follow instructions on the website to schedule an appointment to obtain your live scan fingerprints at the nearest print site location.
- Results of background checks are not mailed to applicants. If there is a problem with the results of your background check you will be notified.

For all other applicants residing or working in states other than the Commonwealth of Pennsylvania:

- Provide a completed **BLUE-LINED** Federal Bureau of Investigations (FBI) fingerprint card.
- Provide a completed fingerprint certification letter.
- Fingerprints will only be accepted if taken by a law enforcement official.
- Provide a money order for each card, payable to Cogent Systems in the amount of \$40.00 (amount subject to change, see website for exact fee).
- If you need blue-lined fingerprint cards, please contact the Department via email: ra-asklicensing@state.pa.us. Certification letter attached.



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Certification Letter For Fingerprints Taken by Other Agencies

Certification by Applicant

I hereby certify that the attached fingerprints were taken by the following agency's authorized fingerprint technician. In addition, I also certify that I presented proper identification to the fingerprint technician at the time I was fingerprinted:

I hereby certify that the attached fingerprints were taken by the following agency's authorized fingerprint official. In addition, I also certify that I presented proper identification to the fingerprint official at the time I was fingerprinted:

Applicant Name (please print)

Applicant Signature

Verification by Fingerprint Official

Name of Official Taking Fingerprints: _____
(please print)

Title or Rank: _____ Badge/ID Number: (if applicable): _____

Agency Name: _____

Agency Address: _____

City: _____ State: _____ Zip Code: _____

Agency Telephone Number: () _____ Extension: _____

Indicate the type of identification presented to the official taking the fingerprints (select one):

- Driver's License:
- Passport:
- State Identification Card:
- Other (please describe) _____

Date Fingerprinted: _____

Signature of Official Taking Fingerprints: _____