



State of New Hampshire

Banking Department

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NEW HAMPSHIRE LICENSE SURRENDER/EXPIRATION FORM INSTRUCTIONS

A. GENERAL INSTRUCTIONS

1. Any licensee or registrant that ceases to conduct in business in New Hampshire for any cause, including but not limited to bankruptcy or voluntary dissolution, and any licensee or registrant who claims exemption from the licensing requirements during a license year, shall surrender and deliver its license to the commissioner and file a License Surrender/Expiration form and attachments within 15 calendar days after the date of cessation.
2. Any licensee or registrant who fails to renew its license at the end of a license period and fails to reapply for a license within 30 calendar days of such expiration shall file a Surrender/Expiration form and attachments within 45 days of the date of expiration; expired licenses need not be delivered to the commissioner.
3. Use this form when the company is surrendering all its NH licenses; use the Branch Office form when just closing a NH branch office location.
4. All questions must be answered, all fields requiring a response must be complete and all attachments must be received by the NHBD before the filing is accepted. When filing the License Surrender/Expiration Form on paper, enter "None" or "N/A" where appropriate.
5. The date a licensee or registrant ceases to conduct business shall be determined as follows:
 - A. For bankruptcy, as of the date of filing of a bankruptcy petition that terminates the continued operation of the licensee or registrant's business;
 - B. For license revocation, the date of a final order issued by the *NHBD*;
 - C. For a voluntary dissolution, the earlier of:
 - i. The date of the filing of documentation with the office of the secretary of state necessary to effectuate the dissolution; or
The date of recording at a county registry of deeds documentation necessary to effectuate the dissolution; or
 - ii. The date of any agreement, resolution, or other documentation reflecting a voluntary dissolution of the licensee or registrant's business that is not required to be filed with the office of the secretary of state or county registry of deeds to effectuate the dissolution; and
 - iii. For any other reason, as of the date:
 - (a) The licensee or registrant closes its office(s) listed on the licensee or registrant's most recent license application, except as a result of relocation of its office(s) during the license year; or
 - (b) An on-site examination by the *NHBD* reveals the licensee or registrant is not engaged in business;

B. ATTACHMENTS

1. A list of each pending NH loan application that includes the:
 - A. Loan applicant's:
 - i. Name(s);
 - ii. Address; and
 - iii. Telephone number;
 - B. Date of application;
 - C. Status of application or account;
 - D. Proposed loan amount;
 - E. Amounts paid by applicants for loan application fees;
 - F. Name and address of the company or individual to whom each pending loan application and file will be transferred and the date of each transfer; and
 - G. Amount of applicant / borrower funds transferred or to be transferred; and
2. A list of each NH loan that the surrendering company has in its portfolio or is servicing and the following information:
 - A. Loan applicant's:
 - i. Name(s);
 - ii. Address; and
 - iii. Telephone number;

- B. Date of the original loan;
 - C. Status of loan or account; and
 - D. Original loan amount and the outstanding loan balance;
 - E. Name and address of the company or individual who will hold the loan subsequent to the company's NH license surrender and the name and address of the person of the person who will service the loan subsequent to the company's NH license surrender.
3. If a company is surrendering its license it must deliver by courier, hand delivery, registered or certified mail:
- A. The original New Hampshire Principal Office License;
 - B. The original New Hampshire Branch Office License(s); and
 - C. The annual report for the year of surrender.

C. PUBLISH NOTICE OF CLOSING

- 1. Within 15 calendar days from the date the licensee or registrant ceases business or within 45 calendar days from the date of license expiration, the licensee or registrant must start publication of a notice of the business closing in the NH Manchester Union Leader or New Hampshire Sunday News.
- 2. The notice shall be published once per week for 2 consecutive weeks;
- 3. The notice shall include the following:
 - A. The name of the licensee or registrant;
 - B. The principal place of business of the licensee or registrant;
 - C. The licensee or registrant's license or registration number;
 - D. The type of license; and
 - E. The name, address, and telephone number of a contact person for the licensee or registrant;
- 4. The text of the public notice shall be in the following form:

“Public Notice

_____ (name of licensee or registrant), with a principal place of business at _____, hereby gives notice that as of _____ (date) it has ceased conducting business as a _____ (state the type of license held) in New Hampshire and has surrendered its license(s) to the New Hampshire Bank Commissioner. For information about pending transactions, contact: _____ (name of contact person for licensee or registrant) at _____ (address) and _____ (phone number)”; and

- 5. Within 20 calendar days from the date the licensee or registrant ceases business or within 50 calendar days from the date of license expiration, the licensee or registrant must deliver a copy of the published notice to the NHBD.

D. ANNUAL REPORT FILINGS

- 1. The annual report required by statute is available on the NHBD website @ <http://www.nh.gov/banking/consumer.html> and must be filed each year by February 1st to report business conducted during the prior calendar year. If the license is being surrendered and the date the licensee or registrant ceased business is after the close of a calendar year and prior to February 1st of the ensuing year, the licensee or registrant shall file an annual report for the prior calendar year on or before February 1st and shall also file, within 15 days of ceasing to conduct business, an annual report for the period from January 1st to the date the licensee or registrant ceased business.
- 2. A licensee or registrant who allows its license to expire on December 31st shall file its annual report of New Hampshire loans for the year of expiration on or before February 1st following the date of expiration.

EXPLANATION OF TERMS

(The following terms are italicized throughout this form.)

COMMISSIONER means the New Hampshire Bank Commissioner

JURISDICTION means the federal government, a foreign government, a state, the District of Columbia, the Commonwealth of Puerto Rico, or any subdivision or regulatory body thereof.

INVESTIGATION includes: (a) grand jury investigations, (b) U.S. Securities and Exchange Commission investigations after the “Wells” notice has been given, (c) NASD Regulation, Inc. investigations after the “Wells” notice has been given or after a person associated with a member, as defined in The NASD By-Laws, has been advised by the staff that it intends to recommend formal disciplinary action or, (d) formal investigations by other regulatory organizations or, (e) actions or procedures designated as *investigations* by *jurisdictions*.

The term *investigation* does not include subpoenas, preliminary or routine regulatory inquiries or requests for information, deficiency letters, “blue sheet” requests or other trading questionnaires, or examinations.

FINANCIAL SERVICES or **FINANCIAL SERVICES-RELATED** pertains to securities, commodities, banking, insurance, consumer lending, debt adjustment, money transmission or real estate (including, but not limited to, acting as or being associated with a bank or savings association, credit union, mortgage lender, mortgage broker, mortgage servicer, closing agent, title company, or escrow agent).

LICENSEE OR REGISTRANT pertains to the company that holds a New Hampshire license and is surrendering its NH license using this form.

NHBD means the New Hampshire Banking Department

TIMELINE CHART

License Surrender			License Expiration on December 31st
<p>Within 15 days from the date of ceasing to conduct business, the licensee or registrant must deliver to the NHBD:</p>	<ol style="list-style-type: none"> 1) NHBD License(s); 2) Surrender/Expiration Form & Attachments; 3) The Annual Report for the year of surrender; 4) A list of pending NH loan applications; 5) A list of all NH loans outstanding or being serviced; and 6) The Licensee or registrant must start publication of the notice in the NH Union Leader or NH Sunday News 	<p>Within 45 days from the date of license expiration, the licensee or registrant must deliver to the NHBD:</p>	<ol style="list-style-type: none"> 1) Surrender/Expiration Form & Attachments; 2) A list of pending NH loan applications; 3) A list of all NH loans outstanding or being serviced; and 4) The Licensee or registrant must start publication of the notice in the NH Union Leader or NH Sunday News
<p>Within 20 days of ceasing to conduct business:</p>	<p>Deliver a copy of the published notice to the NHBD</p>	<p>Within 50 days from the date of license expiration:</p>	<p>Deliver a copy of the published notice to the NHBD</p>
<p>On or before February 1st, deliver to the NHBD:</p>	<ol style="list-style-type: none"> 1) The Annual Report for the prior calendar year, if applicable 	<p>On or before February 1st, deliver to the NHBD:</p>	<ol style="list-style-type: none"> 1) The Annual Report for year of expiration

