



State of New Hampshire

Banking Department

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MU2 (NH INDIVIDUAL DISCLOSURE FORM)

INSTRUCTIONS

MU2 (NH INDIVIDUAL DISCLOSURE FORM) FILING AND ATTACHMENTS - For purposes of filing Form MU2 (NH INDIVIDUAL DISCLOSURE FORM), *each individual listed on Schedule A or Schedule B of the company's application must file a MU2 (NH INDIVIDUAL DISCLOSURE FORM)* in New Hampshire; they are *principals, direct and indirect owners* and therefore are considered to be *control persons* under NH law. **Principal** of the applicant, licensee or registrant includes a corporate officer, executive officer, senior manager, NH branch manager, director, member, general partner, trustee, and any person occupying similar status or performing similar functions. *Principals* include *direct owners* of 10% or more and *indirect owners* of 25% or more of the *applicant* (see the definitions on Schedules A & B). That means that for each individual listed on the schedules or amendments thereto, the *applicant/licensee/registrant* must submit a MU2 (NH Individual Disclosure Form), a Criminal History Record Information Authorization Form, **one (1)** fingerprint card and a \$47.00 records check fee. All forms may be obtained at our website at <http://www.nh.gov/banking/consumer-credit/index.htm>.

Criminal Records checks are conducted by the State of New Hampshire Department of Safety, State Police Division, as well as an FBI check on each individual listed on Schedules A & B. The Department of Safety charges a fee of \$47.00 to cover costs for each record check (FBI check \$22.00, NH Dept. of Safety \$25). **Complete all items in Section I of the Authorization, and make sure to sign the release information in Section II of the form and have the form notarized. All checks and money orders for the record checks must be made payable to "State of NH – Criminal Records."**

Fingerprints must be submitted in order to complete the criminal background checks. To request fingerprint card(s), which must be on a New Hampshire State Police fingerprint form, you may electronically complete a form [on our website](#), or call **(603) 271-8675**, or e-mail licensing@banking.state.nh.us, the Licensing Division at the Banking Department, indicate the number of cards needed and the address where they should be sent (only one address; the *applicant* or registrant is responsible for distribution to applicable persons within their organization), and we will send fingerprint cards out to you right away.

Submit the *Criminal History Record Information Authorization Form*, fingerprint card and a fee in the amount of \$47.00 payable to "State of NH – Criminal Records", for each individual listed on Schedules A & B, to **the NH Banking Department. We will forward the document(s) and check(s) to the Department of Safety.** Fees covering multiple individuals may be combined into one check.

AMENDMENTS – The *applicant/licensee/registrant* must promptly update information on both the Company License/Registration Application form and each *principal's* or *direct* or *indirect owner's* MU2 (NH Individual Disclosure Form) if it becomes materially inaccurate and when a *principal* joins or leaves the licensee's/registrant's employ. An amendment shall be considered to be filed promptly if the amendment is filed within 30 days of the event that requires the filing of the amendment. On each form, circle the item being amended. Complete only the information that is being amended as well as the name of *applicant/licensee/registrant* and the name of the *principal* or *direct* or *indirect owner* to which the form relates

A. GENERAL INSTRUCTIONS

1. **FILING** – MU2 (NH Individual Disclosure Form) must accompany the application if this is a new application. Each individual identified as a *control person* for the *applicant* on Schedule A, must complete a MU2 (NH Individual Disclosure Form).
2. **TERMS USED** – See the following Explanation of Terms section regarding italicized words/phrases.

3. **DATES** – The filing date is the date *applicant* submits this form to the *jurisdiction(s)*. The desired effective date is the date *applicant* would like the license/registration or amendment to become effective. Review published *jurisdiction*–specific requirements for effective date expectations.
4. **AMENDMENTS** – The *applicant* must update biographical information as required in each *jurisdiction* by submitting amendments using Form MU2 (NH Individual Disclosure Form). On Form MU2 (NH Individual Disclosure Form), circle or otherwise identify the item being amended. Review published *jurisdiction*–specific requirements concerning the return of the prior original license/registration document when submitting the amended Form MU2 (NH Individual Disclosure Form).

B. FILING INSTRUCTIONS

1. FORMAT

- A. Each individual identified as a *control person* on Schedules A, B, or C must complete a MU2 (NH Individual Disclosure Form).
- B. Employment history, item 4: provide the full legal name of the company, beginning with your current employer. For the purposes of this history, include both 1099 independent contractor assignments as well as W-2 status employment.

2. ATTACHMENTS - Review published *jurisdiction*–specific instructions for required attachments including but not limited to:

- A. One Fingerprint Card
- B. Completed MU2 (NH Individual Disclosure Form)
- C. Fees

C. EXPLANATION OF TERMS – The following terms are italicized throughout Form MU2 (NH Individual Disclosure Form).

1. GENERAL

APPLICANT – The company applying on or amending information on file with the Department. The only instance in which **the applicant is an individual in the case of a sole proprietorship**.

CONTROL – The power, directly or indirectly, to direct the management or policies of a company, whether through ownership of securities, by contract, or otherwise. Any *person* that (i) is a director, general partner or executive officer; (ii) directly or indirectly has the right to vote 10% or more of a class of a voting security or has the power to sell or direct the sale of 10% or more of a class of voting securities; (iii) in the case of an LLC, Managing Member; or (iv) in the case of a partnership, has the right to receive upon dissolution, or has contributed, 10% or more of the capital, is presumed to control that company.

CONTROL PERSON – An individual (a natural person) named on Schedules A, B, or C that directly or indirectly exercises *control* over the *applicant*.

JURISDICTION – A state, the District of Columbia, the Commonwealth of Puerto Rico, any territory of the United States, or any subdivision or regulatory body thereof.

PERSON – An individual, partnership, corporation, trust, LLC, or other organization.

2. FOR THE PURPOSE OF ITEM 6 (Disclosure Questions)

CHARGED – Being accused of a crime in a formal complaint, information, or indictment (or equivalent formal charge).

ENJOINED – Includes being subject to a mandatory injunction, prohibitory injunction, preliminary injunction, or a temporary restraining order.

FELONY – a *felony* is an offense punishable by a sentence of at least one year imprisonment and/or a fine of at least \$1,000. The term also includes a general court martial.

FINANCIAL SERVICES OR FINANCIAL SERVICES-RELATED – Pertaining to securities, commodities, banking, insurance, consumer lending, 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, real estate salesperson or agent, closing agent, title company, or escrow agent).

FOREIGN FINANCIAL REGULATORY AUTHORITY – Includes (1) a *financial services* authority of a foreign country; (2) other governmental body empowered by a foreign government to administer or enforce its laws relating to the regulation of *financial services* or *financial services-related* activities; and (3) a foreign membership organization, a function of which is to regulate the participation of its members in *financial services* activities listed above.

FOUND – Includes adverse final actions, including consent decrees in which the respondent has neither admitted nor denied the findings, but does not include agreements, deficiency letters, examination reports, memoranda of understanding, letters of caution, admonishments, and similar informal resolutions of matters.

INVOLVED – Doing an act or omission or aiding, abetting, counseling, commanding, inducing, conspiring with or failing reasonably to supervise another in doing an act or omission.

MISDEMEANOR – a *misdemeanor* is an offense punishable by a sentence of less than one year imprisonment and/or a fine of less than \$1,000. The term also includes a special court martial.

ORDER – A written directive issued pursuant to statutory authority and procedures, including orders of denial, suspension, or revocation; does not include special stipulations, undertakings or agreements relating to payments, limitations on activity or other restrictions unless they are included in an *order*.

PROCEEDING – Includes a formal administrative or civil action initiated by a governmental agency, self-regulatory organization or a *foreign financial regulatory authority*; a *felony* criminal indictment or information (or equivalent formal charge); or a *misdemeanor* criminal information (or equivalent formal charge). The term does not include other civil litigation, investigations, or arrests or similar charges affected in the absence of a formal criminal indictment or information (or equivalent formal charge).



**MU2 (NH INDIVIDUAL DISCLOSURE FORM)
UNIFORM BIOGRAPHICAL STATEMENT AND CONSENT FORM**

The NMLS Individual Form is the universal form used by individuals required to submit biographical and other information to a state agency through NMLS as part of a license application. Not all sections of the NMLS Individual Form may apply to all applicants.

1. Identifying Information

(A) Full last, first and middle names:

_____ Last Name _____ First Name _____ Full Middle Name _____ Suffix (if any)

(B) Social Security Number: _____ (C) Gender: Female Male

(D) _____ (E) _____ (F) _____
Date of Birth (MM/DD/YYYY) State/Province of Birth Country/Province of Birth

(G) US Citizen: YES NO

(H) Business phone, home phone, cell phone, fax and email:

() - _____ () - _____ () - _____
Business Phone Extension Home Phone (optional) Cell Phone (optional)

() - _____ _____
Fax Line (optional) Email Address

(I) Mailing Address: Same as Current Residential Address

_____ _____ _____ _____ _____
Number & Street City State Country/Province Postal Code

(J) **For amendments only:** If this filing reports that an individual's name has changed, enter the new name and attach supporting legal documentation:

_____ _____ _____ _____
Last Name First Name Full Middle Name Suffix (if any)

2. Other Names

Other than your legal name, list all name(s) you are using or have used since the age of 18. Examples include nicknames, aliases, and names used before or after marriage. (Use additional sheets as necessary).

Name _____ Name _____

Name _____ Name _____

5. Other Business

Are you currently engaged in any other business either as a proprietor, partner, officer, director, employee, trustee, and agent or otherwise? (Please exclude non-financial services-related activity that is exclusively charitable, civic, religious, or fraternal and is recognized as tax exempt.) If YES, provide the following details (attach additional sheets as needed.):

YES	NO
<input type="checkbox"/>	<input type="checkbox"/>

Business Name

Does this business conduct financial services-related activities? Yes No

Number & Street

City

State

Country/Province

Postal Code

Nature of business

Position, Title or Relationship with business

Start Date: _____

Hours per month: _____

Describe your duties:

6. Disclosure Questions

If the answer to any of the following is "YES", provide complete details of all events or proceedings. Send the details to the state(s) where you are licensed/registered or requesting licensure/registration. Remember to file updates to these disclosures as needed.

Financial Disclosure

YES	NO
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

(A)

(1) Have you filed a personal bankruptcy petition or been the subject of an involuntary bankruptcy petition within the past 10 years?

(2) Based upon events that occurred while you exercised control over an organization, has any organization filed a bankruptcy petition or been the subject of an involuntary bankruptcy petition within the past 10 years?

(3) Have you been the subject of a foreclosure action within the past 10 years?

(B) Has a bonding company ever denied, paid out on, or revoked a bond for you?

(C) Based upon activities that occurred while you exercised control over an organization, has any bonding company ever denied, paid out on, or revoked a bond for any organization?

(D) Do you have any unsatisfied judgments or liens against you?

(E) Are you delinquent on any court ordered child support payments?

Criminal Disclosure

YES	NO
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

(F)

(1) Have you ever been convicted of or pled guilty or nolo contendere ("no contest") in a domestic, foreign, or military court to any felony?

(2) Are there pending charges against you for any felony?

(G) Based upon activities that occurred while you exercised control over an organization:

(1) Has any organization ever been convicted of or pled guilty or nolo contendere ("no contest") in a domestic, foreign, or military court to any felony?

(2) Are there pending charges against any organization for any felony?

<p>(H)</p> <p>(1) Have you ever been convicted of or pled guilty or nolo contendere ("no contest") in a domestic, foreign, or military court to committing or conspiring to commit a misdemeanor involving: (i) financial services or a financial services-related business, (ii) fraud, (iii) false statements or omissions, (iv) theft or wrongful taking of property, (v) bribery, (vi) perjury, (vii) forgery, (viii) counterfeiting, or (ix) extortion?</p> <p>(2) Are there pending charges against you for a misdemeanor specified in (H)(1)?</p> <p>(I) Based upon activities that occurred while you exercised control over an organization:</p> <p>(1) Has any organization ever been convicted of or pled guilty or nolo contendere ("no contest") in a domestic, foreign, or military court to any misdemeanor specified in (H)(1)?</p> <p>(2) Are there pending charges against any organization for any misdemeanor specified in (H)(1)?</p>	<p>YES</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>NO</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>
<p style="text-align: center;">Civil Judicial Disclosure</p> <p>(J)</p> <p>(1) Has any domestic or foreign court ever:</p> <p style="padding-left: 20px;">(a) enjoined you in connection with any financial services-related activity?</p> <p style="padding-left: 20px;">(b) found that you were involved in a violation of any financial services-related statute(s) or regulation(s)?</p> <p style="padding-left: 20px;">(c) dismissed, pursuant to a settlement agreement, a financial services-related civil action brought against you by a State, federal, or foreign financial regulatory authority?</p> <p>(2) Is there a pending financial services-related civil action in which you are named for any alleged violation described in (J)(1)?</p> <p>(3) Based upon activities that occurred while you exercised control over an organization, is there a pending financial services-related civil action in which any organization is named for any alleged violation described in (J)(1)?</p>	<p>YES</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>NO</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>
<p style="text-align: center;">Regulatory Action Disclosure</p> <p>(K) Has any State or federal regulatory agency or foreign financial regulatory authority or self-regulatory organization (SRO) ever:</p> <p style="padding-left: 20px;">(1) found you to have made a false statement or omission or been dishonest, unfair or unethical?</p> <p style="padding-left: 20px;">(2) found you to have been involved in a violation of a financial services-related business regulation(s) or statute(s)?</p> <p style="padding-left: 20px;">(3) found you to have been a cause of a financial services-related business having its authorization to do business denied, suspended, revoked or restricted?</p> <p style="padding-left: 20px;">(4) entered an order against you in connection with a financial services-related activity?</p> <p style="padding-left: 20px;">(5) revoked your registration or license?</p> <p style="padding-left: 20px;">(6) denied or suspended your registration or license or application for licensure, disciplined you, or otherwise by order, prevented you from associating with a financial services-related business or restricted your activities?</p> <p style="padding-left: 20px;">(7) barred you from association with an entity regulated by such commissions, authority, agency, or officer, or from engaging in a financial services-related business?</p> <p style="padding-left: 20px;">(8) issued a final order against you based on violations of any law or regulations that prohibit fraudulent, manipulative, or deceptive conduct?</p> <p style="padding-left: 20px;">(9) entered an order concerning you in connection with any license or registration?</p> <p>(L) Have you ever had an authorization to act as an attorney, accountant, or State or federal contractor that was revoked or suspended?</p> <p>(M) Based upon activities that occurred while you exercised control over an organization, has any State or federal regulatory agency or foreign financial regulatory authority or self-regulatory organization (SRO) ever taken any of the actions listed in (K) through (L) above against any organization?</p> <p>(N) Is there a pending regulatory action proceeding against you for any alleged violation described in (K) through (L)?</p> <p>(O) Based upon activities that occurred while you exercised control over an organization, is there a pending regulatory action proceeding against any organization for any alleged violation described in (K) through (L)?</p>	<p>YES</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>NO</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>

