



NEW HAMPSHIRE LICENSE SURRENDER/EXPIRATION FORM INSTRUCTIONS

A. GENERAL INSTRUCTIONS

1. a. Any licensee or registrant that ceases to conduct 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.
or
b. 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.
2. Use this form when the company is surrendering all its New Hampshire licenses; use the Branch Office form when just closing a New Hampshire branch office location.(this applies only to companies **not** on the NMLS system)
3. 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.
4. 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. **Only applies to Motor Vehicle Retail Sellers and Sales Finance licenses with principal offices in New Hampshire.** 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—Motor Vehicle Sales Finance only.

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 a New Hampshire newspaper.
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 and MCR FILINGS

1. Annual Report filed by: Sales Finance, Small Loan, Debt Adjuster, Money Transmitter licensees

The annual report required by statute is available on the NHBD website at <http://www.nh.gov/banking/consumer-credit/information.htm#licensing> and must be filed each year by March 31st to report business conducted during the prior calendar year.

- a. If the license is being surrendered and the date the licensee or registrant ceased business is after the close of a calendar year an annual report for this period must be filed. **Example: Company surrenders April 30, 2015. An annual report for January 1, 2015 through April 30, 2015 must be filed.**
- b. Annual reports should be filed within 15 days of ceasing to conduct business.

2. Mortgage Call Report (MCR) filed by: Mortgage Banker, Mortgage Broker, Mortgage Servicer

MCR must be filed for activity transacted in the last quarter that the company was licensed in.

Once all the requested information identified above is received, the Department will conduct a review of the information. Additional information may be requested. Once the Department has completed the review, the surrender request will be accepted and the company will be notified. **Until the surrender is accepted the company must keep the surety bond on file with the Department as active.**

Timeline Chart

License Surrender		License Expiration on December 31 st	
Within 15 days from the date of ceasing to conduct business, the licensee or registrant must deliver to the NHBD:	1) Surrender/Expiration Form & Attachments; 2) The Annual Report for the year of surrender or MCR if required 3) A list of pending NH loan applications; 4) A list of all NH loans outstanding or being serviced; and 5) The Licensee or registrant must start publication of the notice in New Hampshire newspaper	Within 45 days from the date of license expiration, the licensee or registrant must deliver to the NHBD:	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.
Within 20 days of ceasing to conduct business:	Deliver a copy of the published notice to the NHBD.	Within 50 days from the date of license expiration:	Deliver a copy of the published notice to the NHBD.
		On or before March 31st , deliver to the NHBD:	1) The Annual Report for year of expiration

