

INSTRUCTION SHEET FOR NOTIFICATION FORM

The Kansas Uniform Consumer Credit Code (K.S.A. 16a-6-201) requires creditors engaged in this state in entering into consumer credit transactions, and any person who takes assignments of and undertakes collection of payments from or takes assignments of and enforces rights against debtors arising from these transactions to file notification and pay the prescribed fees on or before **April 30** of each year to the Office of the State Bank Commissioner, 700 SW Jackson, Suite 300, Topeka, Kansas 66603-3796. After reading instructions, if you need assistance in completing the form, please call (785) 296-2266. Once your registration is approved, your company will be added to the list of Notification Registrants displayed on our website at www.osbckansas.org. Renewal forms will be mailed in March to all approved notification registrants.

WHO MUST FILE NOTIFICATION AND PAY THE \$25.00 ANNUAL FEE?

A consumer credit transaction is made in this state if a signed writing evidencing the obligation or offer of the consumer is received by the creditor in this state; or the creditor induces the consumer who is a resident of this state to enter into the transaction by solicitation in this state by any means, including but not limited to: mail, telephone, radio, television or any other electronic means.

You extend credit under Kansas law if you engage in any of the following activities:

1. Those who extend credit* to which a finance charge is added to the actual cost of goods or services;
2. Those who add a service or carrying charge to an account as a cost of deferring payment;
3. Those who prepare retail installment contracts and assign these contracts to a third party;
4. Those who extend credit* according to a written agreement which permits payment in more than four installments, even though no finance charge is added; or
5. Those who purchase retail installment contracts, loans or leases from creditors *or who purchase the rights to service such transactions*.

***Credit** means the right granted by a creditor to a debtor to defer a payment of debt or to incur debt and defer its payment.

Creditors. Those who regularly engage in the business of selling or leasing goods or services or lending money to persons for personal, family, or household purposes who either impose a finance charge **or** agree to accept payment by written agreement in more than four installments (deferred payment), must file notification and pay the \$25.00 annual fee for each business location. Every creditor who initiates a consumer sale or lease must file whether the contract is held or assigned or sold to a third party.

Assignees. Those who take assignments of and undertake collection of payments from or take assignments of and enforce rights against debtors arising from the above-mentioned sales, leases, or loans must file notification and pay the \$25.00 annual fee for each business location plus additional fees.

WHO IS EXEMPT?

Sellers who accept lender credit cards (e.g. bank credit cards) **EXCLUSIVELY** need not file.

Creditors who sell or lend **EXCLUSIVELY** for business or agricultural purposes need not file. (Business purposes means a business selling to other businesses only - no consumer business).

WHO MUST PAY ADDITIONAL FEES?

Creditors and Assignees who are required to file notification shall pay an additional fee of \$10.00 for each \$100,000 or part thereof, of the average unpaid balance. The average unpaid balance is the sum of the dollar amounts outstanding of all consumer credit transactions entered into in this state or taken by assignment and held on the last day of each month for the previous calendar year divided by the number of months in a year. The total dollar amount outstanding includes unpaid payments under consumer leases.

Creditors and Assignees who assign consumer credit transactions to assignees which are not registered with our office must pay volume fees on the total amount of assigned obligations. The OSBC website contains a listing of approved Notification Registrants at www.osbckansas.org. Creditors and assignees will pay an additional fee of \$5.00 for each \$100,000 or part thereof on the total amount assigned to third parties who do not file notification.

For your assistance: Page 2 provides instructions and examples on computing fees due. Page 4 contains a "Calculation Sheet." Pages 5 and 6 may be used to list branch locations and assignee information. All pages must be returned.

INSTRUCTIONS FOR COMPUTATION OF FEES

PLEASE NOTE – WE HAVE SUPPLIED A CALCULATION SHEET BEHIND THE NOTIFICATION FORM AS A TOOL TO FACILITATE YOUR COMPLETION OF THE REQUIRED FORMS. THE CALCULATION SHEET MUST BE RETURNED.

ANNUAL FEE:

Item 1. Those required to file shall pay an annual fee of \$25.00 for each business location from which consumer credit transactions are made and/or taken by assignment. Number of locations times \$25.00 is the total annual notification fee payable.

EXAMPLE: If you have four locations, the annual fee would be calculated the following way:

$$4 (\# \text{ of locations}) \times \$25 (\text{fee for each location}) = \mathbf{\$100} (\text{total annual fee})$$

ADDITIONAL FEES:

Item 2. Consumer credit business. To be completed by all CREDITORS and ASSIGNEES.

Item 2a. The average unpaid balance is the sum of the dollar amounts outstanding of all consumer credit transactions, including unpaid payments under consumer leases, held on the last day of each month for the previous calendar year divided by the number of months in a year. You must pay an additional fee of \$10.00 per \$100,000 or part thereof of the average unpaid balance.

EXAMPLE: You have the following month end balances for each month on consumer credit sales and leases:

January 31	\$66,000	May 31	\$93,000	September 30	\$97,000
February 28/29	114,000	June 30	127,000	October 31	115,000
March 31	84,000	July 31	129,000	November 30	70,000
April 30	89,000	August 31	126,000	December 31	<u>93,000</u>
Total month end balances for the previous calendar year:					\$1,203,000
Divide total month end balances by 12 months: (\$1,203,000/12)					= <u>\$100,250</u> (avg. unpaid balance)
Additional fees due: (\$10 per \$100,000 or part --> \$10 x 2 = \$20)					<u>\$20</u>

Item 2b. If consumer credit sales or leases are assigned during the year to any person(s) or organization(s) who has **not** filed notification with this agency, you must total the amounts assigned to non-filers for the year. On the OSBC website at www.osbckansas.org search the list of approved Notification Registrants to determine if an assignee has filed notification. You must pay an additional fee of \$5.00 per \$100,000 or part thereof, of consumer credit sales and/or leases assigned to non-filers.

EXAMPLE: If you assign contracts to one **or** more companies not listed on the website www.osbckansas.org and the amount of consumer credit sales and leases assigned totaled \$210,000 for the year, the additional fees due would equal to \$15.

\$100,000	=	\$5
100,000	=	5
<u>10,000</u>	=	<u>5</u>
\$210,000	=	\$15 (additional fees due)

TOTAL FEES PAYABLE:

Item 3. Total of Items 1, 2a and 2b. Make check payable to Office of the State Bank Commissioner.

EXAMPLE: \$100 (annual fee) + \$20 (additional fees) + \$15 (additional fees to non-filers) = \$135 (total fees payable)

EXAMPLE OF COMPUTATION OF FEES

ANNUAL FEE:

1. Number of Business Locations 4 X \$25.00.....\$ 100.00

HAVE YOU EXTENDED CONSUMER CREDIT OR TAKEN ASSIGNMENT OF OR HELD CONSUMER CREDIT TRANSACTIONS DURING THE PREVIOUS CALENDAR YEAR?

YES NO (If you checked 'No', proceed to Item 3)

ADDITIONAL FEES - Must complete CALCULATION SHEET to determine fees below:

2. CREDITORS AND ASSIGNEES:
- a. Additional fees for average unpaid balances (See Line 3 on *Calculation Sheet*).....\$ 20.00
 - b. Additional fees for assignments to non-filers (See Line 5 on *Calculation Sheet*).....\$ 15.00
3. **TOTAL FEES PAYABLE:** (Items 1, 2a and 2b) (FOR ILLUSTRATIVE PURPOSES ONLY)\$ **135.00**

KANSAS NOTIFICATION FORM for NEW REGISTRANTS Date _____

Persons engaged in making Kansas Consumer Credit Sales, Leases and/or Loans and the Assignees of obligations arising from these transactions shall file notification and pay prescribed fees within 30 days after commencing business in this State, and thereafter on or before **April 30** of each year. Renewal forms will be mailed in March to all approved notification registrants. Make check payable to **Office of the State Bank Commissioner, 700 SW Jackson St., Suite 300, Topeka, Kansas 66603-3796.**

A. Name of Applicant _____
 (Legal Name of Company under which business is transacted. Add a dba name after legal name, if applicable.)

Federal Tax Identification Number _____ Internet Website Address _____

B. Contact Person _____ Phone # _____

C. Complete Address of Applicant _____

D. Mailing address if different than C. _____

E. Type of Business Conducted _____

F. Business is Conducted: At Office () By Mail () Internet () Other Electronic Means ()-Specify Type: _____

G. **Number of Locations** from which Kansas consumer credit transactions are made or taken assignment: _____
 List Full Name and Address for each location (**Please complete Attachment A if necessary**).

<u>Location Name</u>	<u>Street</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
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1. _____
2. _____

H. **Contracts assigned or sold** to a Third Party, list Name and Address of each Assignee below, and the number and dollar amount of contracts assigned or sold during the previous calendar year. Notate whether assignee company has filed notification (See list at www.osbckansas.org/lookup.html). (**Please complete Attachment B if necessary**).

<u>Name</u>	<u>Street</u>	<u>City</u>	<u>State</u>	<u>Zip</u>	<u>Number</u>	<u>Amount (\$)</u>	<u>Assignee files Notification?</u>
1. _____	_____	_____	_____	_____	_____	\$ _____	Yes <input type="checkbox"/> No <input type="checkbox"/>
2. _____	_____	_____	_____	_____	_____	\$ _____	Yes <input type="checkbox"/> No <input type="checkbox"/>

COMPUTATION OF FEE & RECONCILIATION (See Instruction Sheet)

ANNUAL FEE:

1. Number of Business Locations (See Item G. above) _____ X \$25.00.....\$ _____

HAVE YOU EXTENDED CONSUMER CREDIT OR TAKEN ASSIGNMENT OF OR HELD CONSUMER CREDIT TRANSACTIONS DURING THE PREVIOUS CALENDAR YEAR?

YES NO (If you checked 'No', proceed to Item 3)

ADDITIONAL FEES – Must complete CALCULATION SHEET on Page 4 to determine fees below:

2. CREDITORS AND ASSIGNEES:
 - a. Additional fees for average unpaid balances (See Line 3 on *Calculation Sheet* on Pg. 4).....\$ _____
 - b. Additional fees for assignments to non-filers (See Line 5 on *Calculation Sheet* on Pg. 4).....\$ _____
3. **TOTAL FEES PAYABLE:** (Add Items 1, 2a and 2b)\$ _____

OATH OF APPLICANT - I hereby notify you that we are or plan to be engaged in extending consumer credit or taking assignment of consumer credit transactions and verify the amounts stated above are true and correct to the best of my knowledge.

Signature _____ Print Name _____

*Email Address: _____ *required

FAILURE TO FILE A COMPLETE AND ACCURATE NOTIFICATION MAY RESULT IN PENALTIES INCLUDING FINES.

CALCULATION SHEET

Complete this page along with "Computation of Fee & Reconciliation" section on Page 3. You must return this page.

SECTION 2A – AVERAGE UNPAID BALANCES

List combined month-end balances on all consumer credit transactions for the month(s) held during the previous calendar year (See Item 2a on Instruction Sheet for assistance).

January 31	\$ _____	May 31	\$ _____	September 30	\$ _____
February 28/29	\$ _____	June 30	\$ _____	October 31	\$ _____
March 31	\$ _____	July 31	\$ _____	November 30	\$ _____
April 30	\$ _____	August 31	\$ _____	December 31	\$ _____

Line 1. Total of the month-end balances listed above.....\$ _____

Line 2. Divide Line 1 by 12.....\$ _____

Line 3. Additional Fees Due - **\$10** for every \$100,000 or part thereof on Line 2....\$ _____
(Minimum fee is \$10 unless Line 2 is zero) (Enter this amount on Item 2a on Page 3)

SECTION 2B – ASSIGNMENTS TO NON-FILERS

List the total amount of consumer credit transactions assigned or sold during the previous calendar year to third parties who **have not filed Notification** in Kansas. Complete this section in conjunction with Item H on Page 3 (See Item 2b on Instruction Sheet for assistance). To determine an assignee's filing status, visit: <http://www.osbckansas.org/lookup.html>

Non-filer #1	\$ _____	Non-filer #6	\$ _____	Non-filer #11	\$ _____
Non-filer #2	\$ _____	Non-filer #7	\$ _____	Non-filer #12	\$ _____
Non-filer #3	\$ _____	Non-filer #8	\$ _____	Non-filer #13	\$ _____
Non-filer #4	\$ _____	Non-filer #9	\$ _____	Non-filer #14	\$ _____
Non-filer #5	\$ _____	Non-filer #10	\$ _____	Non-filer #15	\$ _____

Line 4. Total of the amounts listed above.....\$ _____

Line 5. Additional Fees Due - **\$5** for every \$100,000 or part thereof on Line 4.....\$ _____
(Minimum fee is \$5 unless Line 4 is zero) (Enter this amount on Item 2b on Page 3)

RETURN ALL PAGES WITH NOTIFICATION FILING

**ATTACHMENT A
NUMBER OF LOCATIONS**

Your Company Name: _____

This sheet is provided to answer Item G on Page 3 regarding your **Number of Locations**.

Locations from which Kansas consumer credit transactions are made or taken assignment:

Company Name	Complete Address (Street, City, State, Zip)
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	

RETURN ALL PAGES WITH NOTIFICATION FILING

**ATTACHMENT B
CONTRACTS ASSIGNED OR SOLD**

Your Company Name: _____

This sheet is provided to answer Item H on Page 3 regarding your **Contracts Assigned or Sold**.

List below all assignees, the volume of contracts assigned/sold during the previous calendar year, and indicate whether the assignee also files Notification in Kansas. To determine an assignee's filing status, visit: <http://www.osbckansas.org/lookup.html> As a best practice when searching, enter only the assignee's primary business name and under the "License/Charter type," select "Notification" and search.

Company Name	Complete Address	Number of Contracts Assigned	Total Dollar Amount Assigned	Is Third Party a Notification Filer? Yes or No
1.				Yes <input type="checkbox"/> No <input type="checkbox"/>
2.				Yes <input type="checkbox"/> No <input type="checkbox"/>
3.				Yes <input type="checkbox"/> No <input type="checkbox"/>
4.				Yes <input type="checkbox"/> No <input type="checkbox"/>
5.				Yes <input type="checkbox"/> No <input type="checkbox"/>
6.				Yes <input type="checkbox"/> No <input type="checkbox"/>
7.				Yes <input type="checkbox"/> No <input type="checkbox"/>
8.				Yes <input type="checkbox"/> No <input type="checkbox"/>
9.				Yes <input type="checkbox"/> No <input type="checkbox"/>
10.				Yes <input type="checkbox"/> No <input type="checkbox"/>
11.				Yes <input type="checkbox"/> No <input type="checkbox"/>
12.				Yes <input type="checkbox"/> No <input type="checkbox"/>
13.				Yes <input type="checkbox"/> No <input type="checkbox"/>
14.				Yes <input type="checkbox"/> No <input type="checkbox"/>
15.				Yes <input type="checkbox"/> No <input type="checkbox"/>

RETURN ALL PAGES WITH NOTIFICATION FILING