

(Office Use Only)



State of Alaska  
 Department of Commerce, Community and Economic Development  
 Division of Banking and Securities  
 550 W. Seventh Ave., Suite 1940  
 Anchorage, AK 99501  
 (907) 269-4594

E-mail: [mortgagelending@alaska.gov](mailto:mortgagelending@alaska.gov)

Web Site: [www.commerce.state.ak.us/bsc/home.htm](http://www.commerce.state.ak.us/bsc/home.htm)

ALASKA SMALL MORTGAGE LENDER REGISTRATION  
 APPLICATION

(FORM AKMA5)

Use form AKMA5 to register as an Alaska Small Mortgage Lender under the Alaska Mortgage Lender Regulation Act. Along with the form AKMA5, send the following information to the Division of Banking and Securities. See AS 06.60.017.

Use your company's letterhead to provide information for item 3 below. Please leave at least 2" from the top of the page before typing the information labeled by item number. Documents and forms referenced by italics below are available from our website at <http://www.commerce.state.ak.us/occ/mortgagelicensing/index.htm> for your convenience.

1. FEE -- Make your check payable to the "State of Alaska". Clip it (no staples) to the top of the application package.
  - a. Small Mortgage Lender Registration fee: \$150.
  - b. First Biennial License Fee: \$150 due thirty (30) days before the expiration of any registration.
2. REGISTERED AGENT – (a) If your company is created or registered in the State of Alaska, please provide a copy of your most recent filing where a registered agent has been appointed. (b) If your company is not registered in the State of Alaska, you may need to comply with the registration requirements under Title 10 of the Alaska Statutes.  
 For information on specific forms, see the website at <http://www.commerce.state.ak.us/bsc/cforms.htm>.
3. SMALL MORTGAGE LENDER ORIGINATOR – On your letterhead, tell us who will be (if applicable) your SMALL MORTGAGE LENDER ORIGINATOR (SMLO).
4. STILL NEED HELP? – Contact DCCED's Division of Banking and Securities licensing staff by phone at (907) 269-4594 or send your questions via e-mail to [mortgagelending@alaska.gov](mailto:mortgagelending@alaska.gov) for additional assistance.
5. DELIVERY – Keep copies of everything, and send original Form AKMA5 and all attachments to:

**Mailing and Physical Address**

State of Alaska  
 DCCED/Division of Banking and Securities  
 550 W. 7<sup>th</sup> Avenue, Suite 1940  
 Anchorage, AK 99501

## INSTRUCTIONS

### A. GENERAL INSTRUCTIONS

1. **FILING** – Form AKMA5 is the Alaska small mortgage lender registration application. Any *applicant* to be registered as a small mortgage lender must submit this application to the Division of Corporation, Business and Professional Licensing.
2. **TERMS USED** – See the following Explanation of Terms section regarding italicized words/phrases.
3. **EXECUTION** – The execution section must be completed by an authorized representative of the applicant.
4. **DATES** – The filing date is the date *applicant* submits this form to the State of Alaska.
5. **AMENDMENTS** – The *applicant* must update information as required in AS 06.60.017(f)(3) at the time of any registration renewal by submitting amendments using Form AKMA5. Circle (or otherwise identify) and complete the item(s) being amended as well as the name of the *applicant*.
6. **CONTACT EMPLOYEE** – The individual listed as the contact employee must be authorized to receive all compliance and registration information, communications, mailings, and be responsible for disseminating it within the *applicant's* organization.
7. **SURRENDER / CANCEL**– When an *applicant* decides to cease operations under the registration, use the Form AKMA5 to notify the State of Alaska by checking “Surrender/Cancel”. Send the original registration document to the Division of Banking and Securities. Review published requirements concerning additional specific requirements at surrender/cancellation.

### B. FILING INSTRUCTIONS

#### 1. FORMAT

- A. Submit a fully completed Form AKMA5 when the *applicant* is filing for registration as a small mortgage lender the first time or when renewing a registration as a small mortgage lender.
- B. When filing Form AKMA5, the Execution section must include notarized original manual signature.
- C. Type all information.
- D. Use only the current version of Form AKMA5 and its Schedules or a reproduction of them.

#### 2. ATTACHMENTS – Provide the following:

- A. Review published Alaska -specific instructions concerning attachments in PDF or alternative formats.
- B. Provide the name, full delivery address, and telephone number of the registered agent for service of legal process. Consult the Alaska Corporations Code and other statutes and rules.
- C. Fees \$150.
- D. If the *applicant* is a corporation, enclose a copy of the Articles of Incorporation, including amendments, as well as a Certificate of Good Standing issued by the domestic state. Review published jurisdiction-specific instructions to determine requirements for a Certificate of Good Standing from the jurisdiction in which application is being made. If the *applicant* is a limited liability company (LLC), enclose a copy of the Articles of Organization and operating agreement as well as a Certificate of Good Standing issued by the domestic state. Review published jurisdiction-specific instructions to determine requirements for a Certificate of Good Standing from the jurisdiction in which application is being made.
- E. If the *applicant* is a partnership of any form, enclose a copy of the partnership agreement. If the *applicant* is a limited partnership, enclose a Certificate of Good Standing issued by the domestic state. Review published jurisdiction-specific instructions to determine requirements for a Certificate of Good Standing from the jurisdiction in which application is being made.
- F. If the *applicant* is a sole proprietorship, review published jurisdiction-specific instructions for additional requirements.
- G. Individual(s) originating or soliciting to originate small mortgage loans at the business may need to file a Form AKMA6. Review published jurisdiction-specific instructions to verify the requirements for individuals.

3. FINANCIAL RESPONSIBILITY, EXPERIENCE, CHARACTER, AND GENERAL FITNESS – Review published Alaska specific requirements in which the *applicant* is applying to determine requirements for financial responsibility, experience, character, and general fitness. See As 06.60.017(d). These may include the submission of financial statements, minimum net worth, or other documentation of the person applying for registration as well as the person’s directors, officers, members, owners, and other principals.

C. EXPLANATION OF TERMS – The following terms are italicized throughout Form AKMA5

1. GENERAL

APPLICANT – The small mortgage lender applying or amending information regarding registration on this form.

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

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

SETTLEMENT SERVICES – The same as defined in federal Real Estate Settlement Procedures Act (RESPA) 12 U.S.C. Sec. 2601 et seq., Regulation X, 24 C.F.R. Part 3500 et seq.

2. FOR THE PURPOSE OF ITEM 6

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

CONTROL AFFILIATE – A partnership, corporation, trust, LLC, or other organization that directly or indirectly controls, or is controlled by, the applicant.

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

FELONY – For jurisdictions that do not differentiate between a felony and a misdemeanor, 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, small mortgage lender, small mortgage lender, real estate salesperson or agent, closing agent, title company, or escrow agent).

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 to reasonably supervise another in doing an act or omission.

MISDEMEANOR – For jurisdictions that do not differentiate between a felony and a 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).



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**ALASKA SMALL MORTGAGE LENDER REGISTRATION APPLICATION**

(Office Use Only)

Please Check One:

SMALL MORTGAGE LENDER

Date of filing (MM/DD/YYYY): \_\_\_\_\_

License Number information (if applicable) is optional.  Use additional sheets if necessary.	License #	Jurisdiction	License #	Jurisdiction	License #	Jurisdiction
	License #	Jurisdiction	License #	Jurisdiction	License #	Jurisdiction

NEW REGISTRATION APPLICATION       AMENDMENT To amend, check box below to identify item(s) being amended.

APPLICANT'S NAME     BUSINESS NAME

Old Name: \_\_\_\_\_

New Name: \_\_\_\_\_

SURRENDER/CANCEL       OTHER (review jurisdiction-specific instructions)

1. Exact name, principal business address, mailing address, if different, and telephone numbers of *applicant*:  
 (A) Entity name (sole proprietors provide last, first, and full middle name)      (B) IRS Employer Identification Number  
 (C) Alaska Business License Number

(D) (1) Name under which business primarily is or will be conducted, if different from Item 1A: \_\_\_\_\_

(2) List any other name(s) by which the *applicant* conducts or will conduct business and the *jurisdiction(s)* in which they are or will be used (Use additional sheets as necessary).


(E) Main address: (Do not use a P.O. Box)

\_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_  
 Number & Street      City      State / Province & Country      Zip+4 Postal Code

(F) Mailing address, if different from Main address:

\_\_\_\_\_  
 Number & Street                      City                      State / Province & Country                      Zip+4 Postal Code

(G) Telephone Numbers and Website:

(\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_      (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_      \_\_\_\_\_  
 ext      Business Phone      Fax Line                      Website address                      e-mail address (optional)

(H) Other than the office in 1E, does the *applicant* conduct business with consumers through branch offices or other business locations?       YES       NO

EXECUTION: The undersigned, being first duly sworn, deposes and says that he/she has executed this form on behalf of, and with the authority of, said applicant and agrees to and represents the following:

- (1) That the information and statements contained herein, including exhibits attached hereto, and other information filed herewith, all of which are made a part hereof, are current, true and complete;
- (2) To the extent any information previously submitted is not amended such information is currently accurate and complete;
- (3) That the State of Alaska may conduct any investigation in accordance with state law, into the background of the applicant for purposes of processing this application for registration as a small mortgage lender;
- (4) To keep the information contained in this form current and to file accurate supplementary information on a timely basis;
- (5) To keep accurate books and records or otherwise comply with the provisions of law pertaining to the conduct of business for which the applicant is applying.

SIGN HERE      ➔

\_\_\_\_\_  
 Signature of *Applicant*

SUBSCRIBED AND SWORN TO before me this                      day of                      , 20

➔

\_\_\_\_\_  
 Notary Public

NOTARY  
 SEAL  
 HERE

for the State of

My Commission Expires:

This execution must always be completed in full with original, manual signature and notarization.  
 Affix notary stamp or seal where applicable.

Applicant Full Legal Name: \_\_\_\_\_

**2. Contact employee information:**

(A) Registered Agent:

Name: \_\_\_\_\_  
Last First Middle

Title: \_\_\_\_\_

Address: \_\_\_\_\_  
Street or P.O. Box City State Zip Code

E-Mail Address: \_\_\_\_\_

Work Telephone: \_\_\_\_\_ FAX: \_\_\_\_\_

(B) Contact Employee:

Name: \_\_\_\_\_  
Last First Middle

Title: \_\_\_\_\_

Address: \_\_\_\_\_  
Street or P.O. Box City State Zip Code

E-Mail Address: \_\_\_\_\_

Work Telephone: \_\_\_\_\_ FAX: \_\_\_\_\_

(C) Consumer Complaint Employee information:

Name: \_\_\_\_\_  
Last First Middle

Title: \_\_\_\_\_

Address: \_\_\_\_\_  
Street or P.O. Box City State Zip Code

E-Mail Address: \_\_\_\_\_

Work Telephone: \_\_\_\_\_ FAX: \_\_\_\_\_

(D) Physical address of location where the official books and records of the applicant will be kept including documents for a license which operates an office or other place of business outside of the State of Alaska. See AS 06.60.140.

Records Custodian: \_\_\_\_\_  
Last
First
Middle

Title: \_\_\_\_\_

Address: \_\_\_\_\_  
Street or P.O. Box
City
State
Zip Code

E-Mail Address: \_\_\_\_\_

Work Telephone: \_\_\_\_\_ FAX: \_\_\_\_\_

<p>3. (A) Will entity engage in any non-mortgage-related business?                  If "yes" briefly describe.</p>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
<p>(B) Will the entity occupy or share space with any person(s) engaged in financial services-related activity?                  If "yes," provide the name(s) of the other person(s).</p>	YES <input type="checkbox"/>	NO <input type="checkbox"/>

4. (A) Indicate legal status of *applicant*.  
 Corporation                       Sole Proprietorship                       Other (specify)  
 Partnership                               Limited Liability Company

(B) Fiscal year end (MM/DD): \_\_\_\_\_

(C) If other than a sole proprietorship, indicate date and place applicant obtained its legal status (i.e., state or country where incorporated, where partnership agreement was filed, or where applicant entity was formed):  
 Formation State/: \_\_\_\_\_ Date of formation (MM/DD/YYYY): \_\_\_\_\_  
 Formation Province & Country \_\_\_\_\_

(D) If publicly traded please insert stock symbol: \_\_\_\_\_

5. Schedule A Officers, Directors, Shareholders, Partners, Managers and Members, Owners and Other Principals under AS 06.60.017(d). Amendments must be provided at renewal (AS 06.60.017(f)(1)).

Full Legal Name (Individuals: Last Name, First Name, Middle Name)	Title	Number and Street	City	State/ Province	Zip + 4/Postal Code

Applicant full legal name: \_\_\_\_\_

<p>6. If the answer to any of the following is "YES", provide complete details of all events or proceedings in an attachment, including as applicable; name and location of court, docket or case number, and status and summary of event or proceeding; copies of applicable charge(s), order(s), and/or consent agreement(s). Refer to the explanation of terms section of the form AKMA5 instructions for explanations of italicized terms. Remember to file updates of these disclosures as needed.</p>		
<p><b>Criminal Disclosure</b></p>	<p>YES</p>	<p>NO</p>
<p>(A) Has the entity or a director, officer, member, owner(s) or other principal of the <i>applicant</i> for registration as a small mortgage lender ever:</p> <p>(1) been convicted of or pled guilty or nolo contendere ("no contest") in a domestic, foreign, or military court to felony?</p> <p>(2) been charged with any felony?</p> <p>(B) In the past seven years has the entity or director, officer, member owner(s) or other principal of the <i>applicant</i> for registration as a small mortgage lender been convicted of or pled guilty or nolo contendere ("no contest") in a domestic, foreign, or military court to a misdemeanor involving: financial services or a financial services-related business; any fraud, dishonesty, false statements, or omissions; any theft or wrongful taking of property; bribery; perjury; forgery; counterfeiting; extortion; or a conspiracy to commit any of these offenses?</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><b>Regulatory Action Disclosure</b></p>	<p>YES</p>	<p>NO</p>
<p>(C) In the past seven years, has any State or federal regulatory agency or foreign financial regulatory authority ever:</p> <p>(1) found the entity or a control affiliate to have made a false statement or omission or been dishonest?</p> <p>(2) Found the entity or a director, officer(s), member, owner(s) or other principal of the <i>applicant</i> for registration to have been involved in a violation of a financial services-related regulation(s) or statute(s)?</p> <p>(3) to have been a cause of a financial services-related business having its authorization to do business denied, suspended, revoked or restricted?</p> <p>(4) entered an order against the entity or a control affiliate in connection with a financial services-related activity?</p> <p>(5) denied, suspended, or revoked the entity's or a director's, officer's, member's, owner's or other principal of the <i>applicant</i> for registration or license or otherwise, by order, prevented it from associating with a financial services-related business or restricted its activities?</p> <p>(D) Has the entity's or a director's, officer's, member's, owner's or other principal of the <i>applicant</i> for registration authorization to act as an attorney, accountant, or State or federal contractor ever been revoked or suspended?</p> <p>(E) Has the entity or a director, officer, member, owner(s), or other principal of the <i>applicant</i> for registration has or is now the subject of any regulatory proceeding that could result in a "yes" answer to any part of 6(C)?</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><b>Civil Judicial Disclosure</b></p>	<p>YES</p>	<p>NO</p>
<p>(F) (1) Has any domestic or foreign court:</p> <p>(a) in the past seven years enjoined the entity or a director, officer, member, owner(s) or other principal of the <i>applicant</i> for registration in connection with any financial services-related activity?</p> <p>(b) in the past seven years found the entity or a director, officer, member, owner(s) or other principal of the <i>applicant</i> for registration to be in violation of any financial services-related statute(s) or regulation(s)?</p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p>

	YES	NO
(c) in the past seven years dismissed, pursuant to a settlement agreement, a financial services-related civil action brought against the <i>applicant</i> or director, officer, member, owner(s) or other principal of the applicant for registration by a State or foreign financial regulatory authority?	<input type="checkbox"/>	<input type="checkbox"/>
(2) Has the entity or a director, officer, member, owner(s) and other principal of the <i>applicant</i> for registration been named in any pending financial services-related civil action that could result in a "yes" answer to any part of 6(F)(1)?	<input type="checkbox"/>	<input type="checkbox"/>
Financial Disclosure		
(G) In the past seven years has the entity or a director, officer, member, owner(s), or other principal of the <i>applicant</i> for registration been a small mortgage lender or a mortgage lender that has been the subject of a bankruptcy petition?	<input type="checkbox"/>	<input type="checkbox"/>
(H) Does the entity have any unsatisfied judgments or liens against it?	<input type="checkbox"/>	<input type="checkbox"/>



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ALASKA SMALL MORTGAGE LENDER  
 SCHEDULE A DIRECTORS, PARTNERS AND OFFICE MANAGERS  
 AS 06.60.017(d)(1)

(Office Use Only)

Applicant Full Legal Name: \_\_\_\_\_

Date of filing (MM/DD/YYYY): \_\_\_\_\_

1. Use Schedule A only in new applications to provide information on the Partners, Officers, Shareholders, Managers and LLC Members of the *applicant* for registration. Use Schedule B in new applications to provide information on indirect owners. File all amendments on Schedule C. Complete each column.

2. List below the names of:

- (a) each executive officer, including President, Chief Executive Officer, Chief Financial Officer, Chief Operations Officer, Chief Legal Officer, Chief Compliance Officer, Director, and individuals with similar status or functions;
- (b) in the case of an *applicant* that is a Limited Liability Company (LLC) list the manager and those members that have the right to receive upon dissolution, or have contributed, 50% or more of the LLC's capital, and if managed by elected managers, all elected managers.

3. Are there any other principals of the *applicant* to be reported on Schedule B?  Yes  No

4. Complete the "Title or Status" column by entering board/management titles; status as a partner, trustee, sole proprietor, or shareholder; and for shareholders, the class of securities owned (if more than one is issued).

Full Legal Name (Individuals: Last Name, First Name, Middle Name)	Title or Status	Ownership %	Control Person (yes/no)	Publicly Traded (symbol or n/a)	Company's IRS Tax # or Employer ID



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 ALASKA SMALL MORTGAGE LENDER  
 SCHEDULE B OTHER PRINCIPALS  
 AS 06.60.017(d)

(Office Use Only)

Applicant Full Legal Name: \_\_\_\_\_

Date of filing (MM/DD/YYYY): \_\_\_\_\_

1. Use Schedule B only in new applications to provide information on the indirect owners of the *applicant* for registration. Use Schedule A in new applications to provide information on direct owners. File all amendments on Schedule C. Complete each column.

Full Legal Name (Individuals: Last Name, First Name, Middle Name)	Title or Status	Ownership %	Control Person (yes/no)	Publicly Traded (symbol or n/a)	Company's IRS Tax # or Employer ID



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ALASKA SMALL MORTGAGE LENDER  
 AMENDMENT OF INFORMATION FORM  
 SCHEDULE C

Applicant Full Legal Name: \_\_\_\_\_

Date of filing (MM/DD/YYYY): \_\_\_\_\_

1. This Schedule is used to amend Schedules A and B of Form AKMA5. Refer to those schedules for specific instructions for completing this Schedule C. Complete each column.

2. In the Type of Amendment ("Type of Amd.") column, indicate "A" (addition), "D" (deletion), or "C" (change in information about the same person).

3. List below all changes to Schedule A (Owners and Executive Officers) See AS 06.60.017(d)

Full Legal Name (Individuals: Last Name, First Name, Middle Name)	Type of Amd.	Title or Status	Ownership %	Control Person (yes/no)	Publicly Traded (symbol or n/a)	Company's IRS Tax # or Employer ID