

§6173. Registration and annual reregistration

1. Nonprofit organizations.

[PL 2007, c. 36, §6 (RP).]

2. Registration and reregistration. An organization desiring to act, or continue to act, as a debt management service provider shall apply to the administrator for registration or reregistration in accordance with this chapter. The application must be in a form prescribed by the administrator. The administrator may refuse the application if it contains erroneous or incomplete information. A registration may not be issued unless the administrator, upon investigation, finds that the financial soundness and responsibility, insurance coverage, consumer education programs and services component, character and fitness of the applicant and, when applicable, its partners, officers or directors, warrant belief that the business will be operated honestly and fairly within the purposes of this chapter.

[PL 2021, c. 245, Pt. D, §24 (AMD).]

2-A. Separate registration required. A separate registration is required for each place of business.

[PL 2021, c. 245, Pt. D, §24 (AMD).]

2-B. Registration requirements; fees. The administrator may require registration under this section through the nationwide mortgage licensing system and registry as defined in Title 9-A, section 13-102, subsection 8. The administrator is authorized to participate in the nationwide mortgage licensing system and registry.

In all cases, whether registration is through the nationwide mortgage licensing system and registry or otherwise, the administrator may establish, by rule, requirements for registration, including but not limited to:

A. Background checks for:

- (1) Criminal history through fingerprint or other databases;
- (2) Civil or administrative records;
- (3) Credit history; or
- (4) Any other information determined necessary by the nationwide mortgage licensing system and registry; [PL 2021, c. 245, Pt. D, §24 (NEW).]

B. The payment of fees to apply for registrations or reregistrations, except that the fee for an initial application may not exceed \$800 and for a reregistration may not exceed \$600. If registration is through the nationwide mortgage licensing system and registry, an applicant must also pay a nationwide mortgage licensing system and registry processing fee in an amount to be determined by the administrators of the nationwide mortgage licensing system and registry. Reregistration applications received after the due date are subject to an additional fee of \$100; [PL 2021, c. 245, Pt. D, §24 (NEW).]

C. The setting or resetting as necessary of reregistration or reporting dates; and [PL 2021, c. 245, Pt. D, §24 (NEW).]

D. Other requirements for application for, amendment of or revocation of a registration or any other such activities as the administrator considers necessary. [PL 2021, c. 245, Pt. D, §24 (NEW).]

[PL 2021, c. 245, Pt. D, §24 (NEW).]

3. Action on registration application. The administrator shall take action on an application within 30 days after the administrator has accepted the application as complete. Upon written request, the applicant is entitled to a hearing on the question of the applicant's qualifications for registration if

the administrator has notified the applicant in writing that the application has been denied or the administrator has not issued a registration within 30 days after the application for the registration was accepted as complete by the administrator. A request for a hearing may not be made more than 60 days after the application was accepted as complete or the administrator has mailed a written notice to the applicant stating that the application has been denied and stating the reasons for the denial of the application.

[PL 1999, c. 560, §3 (NEW).]

Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. [PL 2021, c. 245, Pt. D, §24 (NEW).]

SECTION HISTORY

PL 1999, c. 560, §3 (NEW). PL 2007, c. 36, §§6, 7 (AMD). PL 2009, c. 243, §4 (AMD). PL 2021, c. 245, Pt. D, §24 (AMD).

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